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Ethics II
War and Peace

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Preface

The *Military Chaplains' Review* is designed as a medium in which those interested in the military chaplaincy can share with chaplains the product of their experience and research. We welcome articles which are directly concerned with supporting and strengthening chaplains professionally. Preference will be given to those articles having lasting value as reference material.

The *Military Chaplains' Review* is published quarterly. The opinions reflected in each article are those of the author and do not necessarily reflect the view of the Chief of Chaplains or the Department of the Army. When used in this publication, the terms "he," "him," and "his" are intended to include both the masculine and feminine genders; any exceptions to this will be so noted.

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The Formation of Conscience: The Beginnings of Peace

Chaplain (MG) Patrick J. Hessian

This edition of *Military Chaplains' Review* deals with issues of war and peace. A more timely topic is inconceivable. We live a fearful existence in a danger filled world. Wise men and women will apprise themselves of the issues at stake. Prudent people will seek viable alternatives to war. Peace loving citizens will take risks, trusting God, while testing the trustworthiness of their fellow humans, in the hope that "Peace to men who enjoy His favor"[1] can and will be reality.

Some say that there will never be peace in the world until individuals learn to live at peace with themselves. It seems to me that no one can be at peace until he or she relates well with God, his or her fellow humans, and him or herself. That three-fold relational issue is basic. When happy relationships with God, neighbor, and self exist, trust and meaningful risk-taking can happen and peace in the world is possible. Indeed, it is probable! Without happy relationships with God, neighbors, and self, distrust and closed-mindedness prevail. There is little or no hope for peace.

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[1] Luke 2:14

Headquarters
Department of the Army
Washington, DC

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Each of us is on a spiritual journey through life. Theologians tell us that the journey is dependent on conscience for its direction and ultimately for its accountability before God. Since this is so important, I want to talk about conscience, its formation and importance as our personal guide.

Conscience is the most secret core and sanctuary of a person. There, one is alone with God, whose voice echoes in his or her depths.[2] Conscience is a judgment of the practical reason on the moral goodness or sinfulness of an action.[3]

Thomas Schindler recently described three stages of development of conscience.[4] He refers to them as the childhood conscience, which is command oriented; the adolescent conscience, which is conformity oriented; and the adult conscience, which is a self-directing conscience. He describes them as follows:

The Childhood Conscience

The childhood/command oriented conscience is a first attempt at making good moral decisions. You learn from your parents what is right/ wrong. "Don't hit your little sister!" "Don't run out into the street!" "Eat like a good boy!" The values your parents believe in are expressed to you, often in the form of a command, and you learn what to value as good or bad.

You are a living question mark from birth. You take in the vision of others—adapt them within yourself—and develop a personal vision of life. The beginnings of the development of conscience start with observation of your parents and what they value. The potential for making moral decisions and living a moral life begins to be actuated. Certain values are communicated non-verbally. As children you are good observers, but poor interpreters, e.g., sexuality is a subject concerning which your parents might have remained silent. You may have interpreted their silence on this subject to mean that they consider it shameful/evil. In this example, you were a good observer in that you noted their silence about sexuality. You may have been a poor interpreter if you concluded that they consider it shameful.

Most commands you received as children were highly specific, leaving no room for exception. Because of your absolutely dependent state, fear of alienating parents or losing your essential lifeline may have imparted a sense of urgency to obey parental commands. Disobedience to such commands may have brought strong guilt feelings. These moral

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[2] Vatican Council II, *Pastoral Constitution on the Church in the Modern World, No. 16.*

[3] Heribert Jone, *Moral Theology,* Newman Press 1963, p. 38.

[4] Thomas F. Schindler, S.S., *War and the Roman Catholic Conscience,* Baltimore: St. Mary's Seminary, 1981.

directives and their binding force are internalized and become part of your very fiber. They become the voice of conscience.

Futhermore, because you are dependent on your parents for affection and affirmation, you try hard to grasp those values and make them part of your very selves. You want your parents to like what you do because you know they will reward you when you make "good" decisions.

But these values, now deeply implanted, affect your whole life. Your need for authority is never outgrown. You find that you have to live with others in society and must respect its rules. These are positive aspects of that residual within you.

Some of the aspects of a childhood conscience are not so constructive. You may experience guilt now about things you were warned against doing as a child, even though it might make perfectly good sense to do it now, e.g., if you've been taught never to talk back, you could feel guilty now when expressing a valid opinion to a superior. On the other hand, guilt inducement in itself is not bad. It is bad when it is not rational and proportionate to the issue at hand.

The Adolescent Conscience

I said that conscience is a judgment of right reason. A judgment can only be made when you have some data on which to base it. The greater the seriousness of the issue, the more data you ought to strive to have before making the decision. For some data you reach back in memory to what your parents and teachers taught you. As you grow you try to establish an identity separate from your parents. Distinguishing between parental values and your own values is part of that growth process. Instead of obeying lest you lose parental favor, you seek to be free from parental authority. You try to decide for yourself what is right or wrong.

You sense that you still need assistance in analyzing data. You turn to your peers to see what they think about issues. In a sense, all you do is substitute another authority in the form of your peer group. Instead of "what would my parents expect me to do?" the question of conscience is "what will my friends think?"

The adolescent stage of conscience development is characterized by:

a. A need to confront and to challenge authority figures, e.g., "Why do I have to do such and such?"

b. The need to conform to peer values. The need to conform to peer values is paramount. Expectations around your behavior are still very real and demanding but they are less specific. They are a bit more vague and general. Punishments for non-conformism are changed. Where your parents might have taken some privilege away, the peer group might shun you or laugh at you.

A good thing about the adolescent stage is that it promotes a critical spirit, which is a needed tool as you learn to take personal responsi-

bility for decision making, rather than remain dependent on others. Practice at making decisions is good. Belonging to a peer group enhances your sense of responsibility to others.

An undesirable aspect of the adolescent stage is the spirit of criticism which can keep you immature. Those who have not matured past the adolescent conscience stage continue to be at odds with authority figures indefinitely and without reason. They are, frequently, frustrated people. They may well be unhappy because they cannot seem to get past conscience adolescence.

The Adult Conscience

The adult, self-directing, stage of conscience development is a never ending effort to make mature moral decisions. Adult, self-directed decisions are based on objective truth and the good of God's people. You inform your intellect by seeking moral education and strengthen your will by practicing right behavior. You learn to hear legitimate authority make statements about moral issues and weigh them appropriately. You challenge ideas for their truth and validity.

You do not make moral choices alone. God must be faced. You make moral decisions out of your awareness of your humanity. You are responsible as you reach out to fill the lives of others. By being true to yourself, to your humanity, to your God, you honor Him in whose image you are created.

The person acting on a well-formed, self-directed, conscience enjoys the truest form of freedom. He or she is free because he or she is true to self, others, and God. Such a person is independent in the best sense of that word. Such a person has no need to be defiant toward authority. Indeed, he or she rejoices in it! It is great to be able to listen with openness, agree/disagree without hostility and with respect, learn from your peers and be responsible to them. A well formed conscience is a base from which courageous behavior and responsible decision making make freedom a satisfying reality.

The process of developing conscience is ever ongoing. You must constantly seek moral education, expend personal effort to find guidance, make prudent decisions, continually review and fine tune your thinking, trust in God, humbly ask His guidance, and love courageously.

The issues of war and peace are significant. Thinking citizens of this world and prospective citizens of heaven must wrestle with these issues. We must find alternatives to war. We must study the facets of these problems and ponder our responsibilities to find acceptable solutions to them.

We cannot, prudently, let others decide for us what is right or wrong (childhood conscience). Neither can we engage for long in national or individual confrontations. Certainly, we cannot rely on the opinions only of our peers who may be only marginally informed them-

selves (adolescent conscience). We have an obligation to ourselves, our neighbors, and our God to make informed judgments of the rightness or wrongness of possible alternative courses of action. We must find avenues where trust can overcome distrust and open-mindedness can prevail. We must seek freedom for all. There is hope for peace! Adult conscience development is an integral element in the process.

I urge you to read this issue of *Military Chaplains' Review* with a hope that you will be able to develop your conscience toward a greater maturity on war and peace issues. Your personal freedom and, ultimately, the freedom of the world may depend on how well you inform yourself and form your conscience.

Two Issues in Contemporary Defense: A Just War Critique

Dr. James T. Johnson

What is Just War Tradition?

About 1500 years ago, during the first part of the fifth century of the Christian era, St. Augustine of Hippo, one of those rare theologians who have been honored by both Protestants and Catholics, put down in writing certain ideas on the use of violence that have had a decisive impact on thought about war in western culture. Augustine wrote as a Christian bishop responsible for the care of souls; yet he also wrote out of a deep feeling of respect and devotion to classical Roman civilization, which he realistically feared was on the edge of extinction. He well knew that many early Christians had been pacifists, and he also knew as well that even in the post-Constantinian church many persons were profoundly troubled by the thought of participation in war or even support for the state in its military function. The problem before Augustine was thus profoundly painful: how to reconcile Christian teaching against violence with the need to defend the Roman Empire—Christian for more than a century by that time—from the invading Vandals and Lombards, whose

This paper was presented at the General Officer Luncheon of the Command Chaplains' Conference, 21 July 1982.

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pagan religion threatened the Christian faith and whose tribal culture threatened classical civilization. The solution Augustine reached is generally regarded as the beginning of just war doctrine in Christian teaching, and it was as well a fundamental contribution to the development of a consensual moral tradition in western culture on war, its proper uses, and its limits. Arguing (creatively if somewhat surprisingly) from the Christian duty in love to protect the neighbor who is unjustly attacked or threatened with attack, Augustine approved the use of force in the service of justice, yet reasoned also that genuine limits must be placed on the harm done even in such a justified resort to force. The main line of western moral tradition on war, which has developed over history as a broad cultural consensus rather than as simply a religious teaching, has never departed from these two themes: permission to use force in the protection of justice or other high moral values, and the necessity for restraint in the use of force even in such a good end. That consensual moral tradition relating to war is just war tradition.

That there exists such a body of moral thought and practice requires us to think again about the position held by many persons today that modern war is inherently incapable of restraint, as well as the cynical opinion that all justifying reasons advanced for the use of military force are but convenient rationalizations of state power. These are two bits of contemporary "wisdom" whose wisdom we must reject. Every culture has some tradition relating the use of force to its moral values, and ours has remained remarkably consistent (while undergoing considerable development) right up into our own time. Today, as throughout its history, it finds expression in diverse forms: international law, military manuals on the laws and customs of war, individual feelings of moral, social and professional responsibility, the current debate over nuclear weapons, and many other ways. In a fundamental sense we in our culture cannot think about war without using the terms of this broad tradition. And that traditional teaching, by no means narrow enough to be called a "doctrine," also exerts a claim on us as in our agreements and disagreements we are drawn into past debates very much like those of our own time: who are non-combatants, and how far must they be protected? what are legitimate measures of defense preparation, and when has that moment of last resort been reached so that preparation must be transformed into action? should our concern be only for our own fellow citizens and allies, or should it extend to protection of the rights of others as well? Such questions as these have been asked again and again in our common history, and our situation is not so different now that we do not stand to learn from the ways they have been debated and answered by others before us.

I want in this paper to discuss two contemporary issues, nuclear deterrence and the possibility of nuclear war, and intervention as a moral possibility, from the perspective of this moral tradition. But first I need to sketch briefly the nature of that tradition, as I understand it.

First, on the justice of going to war (the *jus ad bellum,* in classic terminology) there must exist a just cause, usually defined today in terms of defense against aggression but also including the ideas of regaining something unlawfully taken (as in the Falklands dispute) and punitive action in response to some injury: right or competent authority, usually the political authority in a sovereign state; a right intention, defined negatively as the absence of self-serving motives or goals; some public declaration of all the above; a due preponderance of the good the war is expected to achieve over the evil it is meant to remedy and the additional evil the war itself will cause, expressed traditionally as the *jus ad bellum* principle of proportion. In addition the resort to arms must be a last resort, and it must be reasonably expected that the result of the war will be an improved state of peace. In just war tradition as it has developed in western culture these ideas are all quite ancient: Augustine expressed them substantially this way already in the fifth century, and some of the provisions come from even earlier.

Second, on how to fight a justified war justly (the *jus in bello,* using traditional language), noncombatant immunity from direct and intentional harm must be respected, and weapons and tactics must not be destructive beyond the ends for which the war is being fought or beyond what is necessary in the immediate circumstance to achieve legitimate military purposes. These two requisites are often expressed as the principles of discrimination and proportionality (in its *jus in bello* sense), respectively.

As I have already stressed, this tradition as a whole, as it has developed in western cultural history, aims both at establishing when the use of force for political purposes is justified and at defining the parameters within which such force may properly be brought to bear. If we forget either of these aims, the consequences are serious.

The arrogance of religious, ideological, or nationalistic fervor has sometimes obscured the importance of keeping a restraining, moderating hold on the prosecution of war, with the result that all who are touched by such conflicts lose more than they gain. The consequences were bad enough when the technology of warfare itself imposed some limits, as in the Thirty Years War, the worst of the post-Reformation religious conflicts, when much of northern Europe was utterly devastated; the consequences of such total war have become more fearful yet with the modern disappearance of significant technological restraints on the destructiveness of war. The just war tradition reminds us that we must keep on counting the costs in real terms, not simply those of absolute ideological commitment; it reminds us that we have a duty to moderate the destructiveness of the means of force that are in our hands. Perhaps most of all in this respect, it calls us never to forget, in Vattel's words, that "our enemies are men" like ourselves, and that non-combatants, wher-

ever they may be found, are not among our enemies against whom we may direct our military force.

At the same time, we must not become so preoccupied with imposing restraints on the use of force in international affairs that we forget that sometimes force is all that remains to us if we are to protect values that are of the deepest importance not only to us but to all humanity. The need to resist naked aggression is, I think, one such value; the need to preserve justice in human affairs another; still another is the value of guaranteeing that societies are free to shape their own political

The Structure of Just War Tradition

The fundamental just war question: Is the resort to force in the protection of moral values ever justified?

NO: From this answer proceeds pacifism in its various forms as a minority moral tradition on war in western culture.

YES: From this answer proceeds just war tradition, the majority moral tradition on war in western culture. It requires addressing a corollary question: under what circumstances and in what ways may military force be justified? The answer to this corollary question defines the two major parts of the just war tradition:

jus ad bellum (*defining when it is morally legitimate to use force*)	**jus in bello** (*defining the limits of justified force*)
—just cause	—discrimination (noncombatant immunity)
—proper authority	—proportion: suiting means to ends in particular cases)
—right intent	
—public declaraton	
—proportionality: weighing of total good vs. evil expected	
—last resort	
—reasonable hope of success	
—the end of peace	

destinies without coercion, whether from without or within. We may debate on how to add to this list or subtract from it, but we may not, I submit, deny that such a list of values may exist, or deny that these are the sort of values that the use of military means may sometimes be required to protect, restore, or defend.

In the current historical context the debate over nuclear deterrence and the possibility of limited nuclear war raises most sharply the problem of how to conceive and impose restraints on the means of war; simultaneously the problem of identifying values worth protecting by

restrained application of military force is raised most sharply by the debate over intervention. I turn now to these two representative issues.

The Question of Nuclear Deterrence and Limited Nuclear War

The possibility of strategic nuclear war between the superpowers has been the subject of a long history of debate reaching back three decades now. At the same time the destructive potential of the strategic nuclear forces has grown enormously. These forces are designed for deterrence rather than use; yet for the deterrent effect to be realistic, the threat of use of the weapons must not be perceived to be empty. Thus we need to take seriously the possibility for use of strategic nuclear weapons and, at the extreme, the possibility of an all-out exchange of such weapons in a superpower war.

The first thing to say is that, by the standards of just war tradition, it is only at the limits of reason that this extreme kind of war could be thought of as just. It is difficult or impossible to conceive how the purpose of protecting or preserving values—even values of the highest nature—could be achieved by such a means, so enormously destructive of human lives and values and so indiscriminate in its effects. Indeed, those individuals who have tried to think in moral terms about nuclear war of this sort (including, for example, such theologians as Paul Ramsey and John Courtney Murray) have consistently taken the opposite position, as have the mass of persons of more modest theoretical abilities and less thoroughly developed schemes of moral analysis. Why, then, do we continue to possess a strategic nuclear force, and not only to possess it but to add to it? The foremost answer is its deterrent power: there have been no wars directly involving the superpowers in conflict with one another since the nuclear age began. This sort of international stability is dangerous and costly, but it has proven durable. A second reason we continue to possess a strategic nuclear force is that no clear path exists to removing the dependence on such a force for the deterrent purposes it serves. One-sided disarmament or escalation tends to produce strategic instability, increasing the likelihood of use of such weapons. Similarly, in the minds of many strategic analysts, modes of targeting strategic weapons other than the threat of all-out counter-population use tends to weaken the strategic deterrent effect, thus increasing the likelihood of nuclear war. In their view, the risk of such war is lessened by increasing the likelihood of mutual mass annihilation should nuclear weapons be employed.

There are, however, two reasons why we must move beyond this stage in thinking about strategic nuclear weapons. The first is that the game of deterrence largely depends on perception. If the threat is of such a nature as to make it irrational to carry it out, then it loses its deterrent force. In the current debate this takes shape in the argument that an irra-

tionally destructive deterrent force deters only an equally irrational destructive force, leaving untouched the possibility of use of force at lower levels. While neither superpower would want to risk almost certain annihilation of its own major population centers and its industrial base by a countercity strike against the other, some form of limited nuclear weapons use might well take place, according to this argument, particularly if the targets were the nuclear forces of the other side. The possibility of such nuclear war as this is one reason we need to attend to it in the present context. The other reason comes directly from considerations based in just war tradition. If the all-out use of strategic nuclear weapons is morally condemned, we must ask whether and how other possible uses of nuclear weaponry can be morally judged. This leads us immediately to the question of counter-force warfare, and beyond that to the use of tactical or theater nuclear weapons.

Even in the rarefied region of strategic nuclear weapons interchange there are some ways of using these weapons that are worse than others. A countercity strike would be a direct and intentional attack against noncombatants, representing a violation of noncombatant immunity on a mass scale—this besides the disproportionality of the destruction such a countercity strike would entail. Paul Ramsey has developed the moral argument against this sort of use of nuclear weapons more fully than any other analyst over the generation of debate we have now had, and for him it is concern for the rights of non-combatants, this violation of the moral principle of discrimination, that removes all possibility that a direct, intentional countercity attack could be a moral use of force. This drives Ramsey toward acceptance of counterforce targeting, even with the recognition that such targeting may well produce corollary harm to non-combatants and disproportionate destruction. Some evils are worse than others; counterforce targeting represents at least a move in the right direction.

At the same time, though, other moralists, including a great deal of contemporary Roman Catholic and Protestant thinkers, have focused on the disproportionateness of such destruction. On this view nuclear war is inherently wrong because of the magnitude of destruction it causes, not only because non-combatants are harmed by it; thus even counterforce use of nuclear weapons is to be opposed. Persons who take this position tend to regard concern for non-combatants over combatants as unjustified hair-splitting, and thus they raise the just war criterion of proportionality in the conduct of war to first place over the criterion of discrimination—not only in opposition to Ramsey, but also rejecting the order of priority by which most of just war tradition has ranked these ideas. This line of thinking leads only in one direction: to the total banning of nuclear weapons. What is to be done if war breaks out in the meantime, as nations try to achieve this goal, is not made clear, and so this nuclear pacifist position is not a satisfactory one. The idea of counterforce targeting represents a serious and valid effort to describe a rela-

tively more moral intermediate stage until a way is found to move beyond strategic nuclear deterrence, and despite its defects it remains the best such description that has eome along. Thus in my opinion we have no choice but to prefer it and continue to operationalize it.

I do not wish here to proceed further into the sophisticated debate that has developed over the possibilities of counterforce targeting, either as deterrence or as a potential means of using strategic nuclear weapons to fight a limited nuclear war. But I will observe before leaving this problem that the dilemmas it poses are aggravated, rather than resolved, by the fact that in the current strategic triad it is the most vulnerable forces, the land-based missiles, that are most capable of the closely discriminating targeting that the counterforce advocates must have in order for their ideas to be realistic. At the same time, the least vulnerable strategic force, the SLBM fleet, is not at present capable of such accurate targeting as to make the counterforce idea more than a statement of empty intentionality. If we are to take counterforce strategic targeting seriously as a realistic as well as morally preferable policy, then we must have the means to achieve it in practice, and this implies progressive changes in our strategic nuclear forces.

Let me conclude this very brief discussion of strategic nuclear weapons by suggesting that moralists (and others) have tended to dwell too exclusively at the extreme possibility of war involving an all-out exchange of such weapons. No particular intelligence or moral sensitivity is required to recognize that such an exchange would be very gravely wrong. To call it wrong, even in the most graphic ways possible (as witness Jonathan Schell's recent *The Fate of the Earth*), does not really get us anywhere, even if it might have done so once. Rather it is now time we focused our concerns forward to the problem of how to avoid this kind of use that is so generally agreed to be so fundamentally wrong. This leads us, I think, not only to consider how to moderate the use of the effects of the weapons we already have, but further to consider how to conceive and design weapons that are at the same time more capable of restrained use in the service of morally informed human intentionality, and realistically able to replace nuclear weapons both in their strategic deterrent function and in their potential for actual use.

What I have just said regarding strategic nuclear weapons I would now apply to the case of tactical or theater nuclear weapons. I understand the latter sort of weapons, as opposed to the strategic ones, in the following ways: First, they are of a lower order or magnitude in destructive power. Second, with the exception of the neutron warhead, they are fission and not fusion devices. Third, they are designedly counterforce weapons, meant to be deployed and potentially used within a particular theater of conflict. I do *not* think it is meaningful to distinguish between these types of weapons by saying the one is merely for deterrence, while the other is intended for use in time of war. I have already indicated the impossibility of distinguishing morally between the deterrent effect of

strategic weapons and the intent to use them in war; moreover, I fear that in an actual war we would in fact have some use of strategic weapons, even if only in the limited sort of exchange envisioned in General Sir John Hackett's scenario for World War III. Turning this reasoning around, the potential for use of theater weapons makes them, to my mind, excellent deterrent forces; at the same time, though, we must not be misled by their quantitatively lower effects (as compared with strategic weapons) to think of theater nuclear weapons as anything less than massively destructive. By comparison with conventional means of war these are blunt instruments, inherently less capable of restrained and discriminating effects and with long-term residual damage that threatens human life long after a war in which they were used, though after a war all are non-combatants.

Nevertheless, as was said above for strategic nuclear weapons, there are some potential uses that are less evil than others. This means that we genuinely need to distinguish, in our moral reflection and in our planning, between types of tactical/theater nuclear weapons and between conceptions of how to use them. As to the former, I have in the past argued in favor of the neutron warhead over the older fission warheads it was designed to replace not because this is the "clean," "surgical" miracle battlefield weapon it has sometimes been represented to be, but because by contrast with the older fission warheads it appears to be cleaner and more capable of discriminating and proportionate use, as well as productive of less harmful residual effects over the long run in the area of use. I hasten to say that I do not know whether these claims are all true; there are others here with much better capacity for judgment on that matter than I. But assuming that they are true, they are morally as well as militarily significant.

If we employ the perspective provided by just war tradition to judge the possible case of a limited war employing theater nuclear weapons, we immediately encounter the requirements implied in the ideas of discrimination and proportionality. Discrimination means that we must seek to protect non-combatants from direct, intentional attack. But even the permission to harm combatants is limited: first, by the fact that we are permitted to harm enemy combatants only because of the threat they pose to such values as peace and justice and to non-combatant lives and livelihoods; second, by the requirement that combatants may be harmed only in proportion to the evil attempted and only so much as necessary to keep him from succeeding in his aim.

These twin considerations, which together define the limits of justified force as they have taken shape in just war tradition, call us to think about the destructiveness of contemporary conventional war as well as of the potential use of theater nuclear weapons. The moral considerations that make it wrong to use strategic nuclear weapons against population centers also make it wrong to destroy those same population centers by conventional bombing; the problem is not the nuclear weapons as such

but the *intentionality* that directs the use of whatever weapons we have available to us to such an end as this. Similarly, in the case of a geographically limited war the total calculus of damage caused versus damage averted must take into account the potential evils of conventional arms as well as of nuclear weapons. Just war tradition charges us to limit damage and to avoid harm to non-combatants: these are restraints on our *intentions;* decisions to use, or not to use, certain weapons in certain ways depend in turn on that morally informed intentionality. For this reason I have consistently argued in my writing that just war tradition impacts first of all on the formation of political goals, on policy, on strategic posture, on tactics, and only then on control of the weapons of war. We have nuclear and thermonuclear weapons now because we, as a culture, have in this century wrongly learned to think that it was all right in war to directly attack enemy cities and the non-combatant population they sheltered. This lesson needs to be unlearned; otherwise it makes no moral sense to talk of limited war in the contemporary context.

Let me bring this down to earth. Let us consider a situation in which the enemy is represented by a certain military force, located in an area from which the non-combatants have fled. Here the possibility of direct, intentional, immediate harm to non-combatants is lacking and the principle of discrimination is therefore satisfied. If the target is of sufficient size to warrant the use of a low-yield fusion warhead, then this may be the weapon of moral choice under such conditions. The blast damage of conventional high explosives and/or tactical fission warheads of sufficient number to perform the military mission, plus the residual radiation left behind by the latter weapons, would, if the claims are true, substantially outweigh the immediate and residual damage caused by the use of one or more neutron warheads.

By contrast, consider a situation in which a surprise invasion across a broad front is led by armored forces. We assume there has been no time to evacuate non-combatants. A "checkerboard" use of neutron warheads could be relied upon to stop the armored assault; indeed, such weapons have been first of all developed for use against armor. But because the effects of such a strike would be felt by all persons in the target area, non-combatants (because of lack of protection) maybe more than combatants, we must seriously ask whether it is legitimate to seek to "defend" these persons in such a way. In such a situation the moral preference must rest on weapons more capable of discriminating use and on previous planning that anticipates how to repel such an assault as described using these more restrained—and restrainable—means.

The question of deterrence aside, I have long wondered whether the reliance on nuclear weapons in NATO does not tend to make western Europe morally indefensible. Granted that even a conventional war in such a densely populated, value-rich area would cause enormous destruction, my own thinking has led me to favor a NATO force both larger and

stronger in the conventional sense, less reliant and less needing to rely on theater nuclear weapons. Once again, if we are troubled by the potential for use of nuclear weapons—even those of the low-yield tactical or theater variety—we must consider seriously how to reduce the threat posed by that use while remaining able to provide effective protection to those human lives and values for which we are responsible. This means both more and better conventional forces and weapons research aimed at undermining the utility of nuclear weaponry—both goals protected by veritable minefields of political resistance. But unless we are either to retreat on what we believe is worth protecting or defending, or unless we are willing to embrace the possibility of an indiscriminate and disproportionately destructive war to protect such values, the political risks have to be taken and the political costs borne. It needs to be said in clear language: the moral alternatives to reliance on nuclear weapons in limited war are larger and better conventional forces and research aimed at producing weapons inherently more discriminating and capable of restrained intentional use under battlefield conditions. The alternative is not simply to remove the nuclear weapons while leaving other matters to stand as they are. There is no free lunch.

Intervention as a Moral Possibility

A great deal more could be said from a just war perspective about the nuclear question, but I must stop for now with this effort to identify the major thrust of such a moral analysis and the implications I find in it for our defense policy in the future. This is a matter relating directly to that part of just war tradition classically called the *jus in bello;* in the remaining time I want to discuss a matter pertaining to the question of *jus ad bellum,* whether and how force may be justified in the first place. Specifically, I want to direct our thoughts to the question of intervention.

I began my comments today by referring to Augustine, and it is instructive to reflect a bit on the paradigm that shaped his conclusions on the justified use of force. This paradigm was a situation in which an onlooker encounters a crime in progress or about to be so: an evildoer, without just reason, assaulting another person. In our own culture, this is the classic instance of a mugging, and Augustine argued that it was the onlooker's duty to come to the aid of the person being attacked, even at risk to himself. Written on the scale of international relations, this is the case of aggression, and Augustine employed this paradigm to justify the state's resistance to evil and the individual's taking up arms as a soldier to participate in this action by the state.

Now, what should seize our attention is not that Augustine in this way justifies self-defense by a people or a nation; he clearly does, and our own contemporary international law, political assumptions, and customs have not advanced beyond the kind of reasoning he employed. Rather, what is striking in Augustine's paradigmatic case is that he inten-

tionally avoids making the onlooker related in any way to the assailant or the victim. The point of such detachment is to achieve evenhandedness. It is not only in defense of our friends, our neighbors, or our grandmothers that we may sometimes be justified in using force; rather, the challenge is to focus on the injustice being done and the need to right it rather than on the relationship we may or may not have with the victim or the assailant. Later Catholic just war teaching, following Thomas Aquinas, took this reasoning a step further to justify the prince in using the sword to punish evil wherever he found it. This was rather more than Augustine had wanted to accept, not because it went too far in expressing the need to oppose evil in the world, but because it tended to allow individual rulers or states license to operate beyond their competence to judge others. Still, in at least the religious component of western moral tradition on war, there is a very clear acceptance of the principle that force may be used in the service of justice wherever necessary, even at the price of political intervention in the affairs of another state. The kind of situation envisioned by Thomas Aquinas, his contemporaries, and his successors (including such significant early contributors to international law as Vitoria and Suarez at the beginning of the modern period) was one in which another government is acting unjustly either against a third people or against its own citizens. Thus the argument for the crusades was originally made, not as one for ideological holy war, but on the grounds that innocent persons were being denied their natural rights by the Islamic governing authorities. This argument continued to be advanced right up through the sixteenth century, though by that time other justifying factors had long since emerged as the reasons for war. Similarly, when Victoria considered whether the Spanish explorers could use force against the Indians of the New World, he reasoned that they would not unless the Indians first attacked the Spanish or unless they were treating their own citizens in a manner against the natural law. There is every indication that the Spanish political authorities of his time took his caution—and not only his permission—with utmost seriousness.

Now, what does such historical reflection suggest to us today? I believe it reminds us that nations have duties extending beyond those defined by narrow conceptions of national interest or by alliances with other nations. Of course, alliances may be forged which reflect a perception of those duties, and national interest may be defined broadly to include such duties as well as narrowly to exclude them. But our national chagrin at trying to act as "the world's policeman" to impose a *Pax Americana* and the costs we incurred in trying to maintain this vision in Vietnam should not forever blind us to the fact that peace, order, and justice must be upheld in the world, and that we have a responsibility towards doing so. Augustine's purpose in defining his paradigmatic case as he did was to hold up the imperative of altruistic action in the service of others and the moral values that surround them. It is from such con-

cern that the duty of intervention arises, and just war tradition reminds us that there does exist such a moral duty.

Intervention understood in this way, though, does not imply military adventurism or efforts to achieve national hegemony; rather it focuses on protecting the rights of others who are being wrongly treated by third parties. We must remember that we are speaking from the perspective of a moral tradition that says that our intentions must be right, our goals able to withstand the glare of public scrutiny, our methods such as to offer a reasonable hope of success in achieving a better state of affairs, and our use of force a moderated and proportionate use undertaken as a last resort after other efforts have failed. That the use of force often carries its own momentum means we must be careful to counter that momentum for greater levels of destruction, but it does not remove the need to take altruistic account of the injustices being perpetrated on other people and stand ready to counter those injustices as a force for legitimate human values in the world.

Just-War Theories: The Bases, Interrelations, Priorities, and Functions of Their Criteria

James F. Childress

There are at least two useful approaches to an ethical critique of the criteria of just wars. One is to start from basic ethical principles and to ask what criteria of just wars can be derived from them. The other is to start from the just-war criteria that we have inherited and to criticize them in terms of consistency, coherence, and fidelity to fundamental ethical principles and values. Within either approach we move back and forth between our practices, including our ordinary judgments, and ethical principles and theories.

An example of the first approach is John Rawls' *A Theory of Justice,* which treats just-war criteria within the context of a systematic theory of justice as fairness. Unfortunately, his treatment is very sketchy and mainly reaffirms the traditional criteria without establishing the

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links between them and his theory of justice.[1] Several theologians and philosophers appropriate and apply traditional just-war criteria without adequately probing their bases, interrelations, and functions. In a recent article entitled "Just War Theory: What's the Use?" James T. Johnson considers the implications and applications of this "broadly defined collection of practical principles" called just-war theory.[2] He takes "classic just-war theory" (which is actually more a tradition than a single theory) as normative, viewing several developments in the last three centuries as dilutions and distortions. Indeed, he uses this classic theory to expose contemporary misunderstandings of just-war criteria. But he offers few arguments for taking particular "classic" formulations as normative and for viewing later developments as decline rather than progress.

I do not intend to offer a rationalist alternative to the historicist perspective that some proponents of just-war theories have taken. Starting from our "historical deposit" of just-war criteria, now accessible in a number of fine historical studies,[3] I try to determine what questions we need to answer in order to develop a coherent just-war theory and, indeed, to have usable criteria for policy-makers. To posit traditional criteria, without an indication of their presuppositions, grounds, interrelations, and functions, will not likely be acceptable. I shall begin with some suggestions about the way traditional just-war criteria can be explicated and defended in relation to a prima-facie duty not to injure and kill others; then I shall analyze their grounds, interrelations, priorities, and weights. Without developing a systematic just-war theory, I shall identify some of the considerations that any satisfactory theory must include.

Just-War Criteria: The Logic of Prima-Facie Duties

The following criteria frequently appear in comprehensive just-war theories: legitimate or competent authority, just cause, right intention, announcement of intention, last resort, reasonable hope of success, proportionality, and just conduct. All these criteria taken together, with the exception of the last one, establish the *jus ad bellum,* the right to go to war, while the last criterion focuses on the *jus in bello,* right conduct within war, and includes both intention and proportionality, which are also part of the *jus ad bellum.*

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[1] John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University, 1971) #58.

[2] James T. Johnson, "Just War Theory: What's the Use?" *Worldview* 19, nos. 7–8 (July–August 1976) 41–47.

[3] See Frederick H. Russell, *The Just War in the Middle Ages* (New York: Cambridge University, 1975); James T. Johnson, *Ideology, Reason and the Limitation of War* (Princeton, N.J.: Princeton University, 1975); LeRoy Brandt Walters, Jr., *Five Classic Just-War Theories: A Study in the Thought of Thomas Aquinas, Vitoria, Suarez, Gentili, and Grotius* (Ph.D. dissertation, Yale University, 1971).

"Everyone who has inquired out of prudence, piety, or pity into the propriety of the use of force," claims Ralph Potter, "has constructed an analogue of 'the just war doctrine,' "[4] Although his claim is too strong and sweeping, many analogues to traditional just-war criteria appear when people try to interpret and justify several forms of conduct including the use of force and disobedience to the state. They sometimes crop up as operative criteria even when one's ethical methodology appears to exclude them. Dietrich Bonhoeffer, a theologian who was put to death for his involvement in the July 20, 1944 plot to assassinate Hitler, justified tyrannicide by some of the criteria of traditional just-war and just-revolution theories despite his theological-ethical methodology that appeared to exclude rules and principles. His "operative guidelines," for which his theological-ethical methodology made no provision, included: clear evidence of serious misrule; respect for the scale of political responsibility and authority (those lower in or outside the political hierarchy should act only after others have failed); reasonable assurances of successful execution; tyrannicide as a last resort; minimal necessary force.[5] As in many justifications of revolution or tyrannicide, Bonhoeffer found a surrogate for the authority of the government in the political hierarchy; others have also appealed to the "lesser magistrates" and finally to the "people."

Some philosophers and theologians also dealt with disobedience and economic boycotts by appealing to analogous criteria. For example, James Luther Adams shows that "some of the most pertinent tests [for determining justified civil disobedience] are similar to those employed in the doctrine of the just war."[6] And Paul Ramsey insists that the use of various forms of economic pressure "should conform to the ancient principles and limitations justifying a Christian in taking up any use of force." His discussion parallels his examination of just-war criteria.[7] While Ramsey and others account for these similarities by pointing to the presence of *force* in each of these modes of conduct, Adams thinks that the similarities between the criteria for civil disobedience and war stem from the fact that both actions deviate from normal procedures.

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[4] Ralph B. Potter, Jr., *War and Moral Discourse* (Richmond, Va.: John Knox, 1969) 61. One of the best systematic examinations of just-war criteria is Potter's article "The Moral Logic of War," *McCormick Quarterly* 23 (1970) 203–33.

[5] Larry L. Rasmussen, *Dietrich Bonhoeffer: Reality and Resistance* (New York: Abingdon, 1972), all of Part 2, but esp. pp. 145–46, 154–55.

[6] James Luther Adams, "Civil Disobedience: Its Occasions and Limits," in *Political and Legal Obligation: Nomos XII,* ed. J. Roland Pennock and John W. Chapman (New York: Atherton, 1970) 303. Cf. James F. Childress, *Civil Disobedience and Political Obligations: A Study in Christian Social Ethics* (New Haven: Yale University, 1971) chap. 4.

[7] Paul Ramsey, *Christian Ethics and the Sit-in* (New York: Association, 1961) 104. Cf. Paul Ramsey, *War and the Christian Conscience* (Durham, N.C.: Duke University, 1961), and *The Just War: Force and Political Responsibility* (New York: Scribner's, 1968). For an attempt to apply just-war criteria to organ transplants on the grounds that both are instances of "the controlled use of regrettable violence," see James B. Nelson, *Human Medicine* (Minneapolis: Augsburg, 1973) chap. 7.

Actually we formulate and use criteria that are analogous to those that determine whether a war is just and justified whenever we face conflicting obligations or duties, whenever it is impossible to fulfil all the claims upon us, to respect all the rights involved, or to avoid doing evil to everyone. Sometimes we confront two or more prima-facie duties or obligations, one of which we cannot fulfil without sacrificing the other(s). In this sort of dilemma we justify sacrificing one prima-facie obligation to fulfil another only when we can answer certain questions: we need to know whether we have a just cause, proper intentions, a reasonable hope of achieving the end, a reasonable balance between probable good and evil, no other courses of action that would enable us to avoid sacrificing the obligation, etc. Thus the criteria for assessing wars and several other actions are similar because war and these other actions sacrifice some prima-facie obligation(s)—a sacrifice that must be justified along certain lines suggested by the criteria. While the fact that force is used is important, it is only one of numerous human actions that stand in need of justification because they sacrifice prima-facie obligations. Just-war criteria can be illuminated by the language of prima-facie obligations and the *content* of the particular obligations (not to injure or kill others) that the justification of war must override.

First, let us consider the notion of a prima-facie obligation or duty (which I use interchangeably in this context). W. D. Ross introduced the distinction between prima-facie and actual obligations to account for conflicts of obligations (which he thought to be "nonexistent" when fully and carefully analyzed). When two or more prima-facie obligations appear to come into conflict, we have to assess the total situation including various possible courses of actions with all their features of prima-facie rightness and wrongness to determine what we actually ought to do. The phrase "prima facie" indicates that certain features of acts that have a *tendency* to make an act right or wrong claim our attention; insofar as an act has those features, it is right or wrong. But our actual obligation depends on the act in its wholeness and entirety. For "while an act may well be *prima facie* obligatory in respect of one character and *prima facie* forbidden in virtue of another, it becomes obligatory or forbidden only in virtue of the totality of its ethically relevant characteristics."[8] Although some prima-facie obligations are more stringent than others (e.g., non-maleficence is more stringent than beneficence), it is not possible to provide a complete ranking or a scale of stringency of obligations.

To hold that an obligation or duty is prima-facie is to claim that it always has a strong moral reason for its performance, although this

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[8] W. D. Ross, *Foundations of Ethics* (Oxford: Clarendon, 1939) 86. Cf. Ross, *The Right and the Good* (Oxford: Clarendon, 1930) chap. 2. "Prima-facie" does not mean "apparent" in contrast to "real," for prima-facie duties are real although they are distinguished from "actual" duties.

reason may not always be decisive or triumph over all other reasons. If an obligation is viewed as absolute, it cannot be overridden under any circumstances; it has priority over all other obligations with which it might come into conflict. If it is viewed as relative, the rule stating it is no more than a maxim or rule of thumb that illuminates but does not prescribe what we ought to do. If it is viewed as prima-facie, it is intrinsically binding, but it does not necessarily determine one's actual obligation.

As individuals or members of institutions, we have a prima-facie duty not to injure others. Injury may mean an unwarranted or unjustified harm or violation of rights, or it may mean inflicting actual harm (e.g., shooting someone) which may or may not be warranted or justified. In the first sense, it is, of course, always wrong by definition; an obligation not to injure others wrongfully would be absolute rather than prima-facie. In the second sense, it is prima-facie. Insofar as an act injures another, it is prima-facie wrong and stands in need of justification. Although Joseph Fletcher and others imply that killing (which I am treating for the moment under injury) is morally neutral, William Frankena rightly insists that some kinds of action (including killing) are "intrinsically wrong." For they are

> always *prima facie* wrong, and they are always actually wrong when they are not justified on other moral grounds. They are not in themselves morally indifferent. They may conceivably be justified in certain situations, but they always need to be justified; and even when they are justified, there is still one moral point against them.[9]

If the Fifth (or Sixth) Commandment means "Thou shalt not kill," it is prima-facie rather than absolute; for the Hebrews admitted killing in self-defense, capital punishment, and war. If it means "Thou shalt not commit murder," it can then be taken as absolute, but it leaves open the question which killings are to be counted as murder.[10]

It is not necessary to defend Ross's intuitionism in order to hold that injury and killing are intrinsically prima-facie wrong. For Ross,

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[9] William K. Frankena, *Ethics* (2nd ed.; Englewood Cliffs, N.J.: Prentice-Hall, 1973) 55. Frankena holds that some kinds of acts are "intrinsically prima facie wrong" (55-56). In his article "The Moral Logic of War," Ralph Potter states the presumption against the use of force in two different ways. First, he states that our "common life is sustained by a strong moral and legal presumption against the use of force" (203). Second, he holds that the use of force "always involves an exception to the rule which forbids us to do harm to our neighbor *without due cause*" (206, my italics). The second statement is faulty; for if the rule forbids us to do harm without due cause, the just-war criteria are designed to establish when there is "due cause." Thus a just war is not an exception to the rule as stated; it is rather built into the rule.

[10] For some of the issues, see J. J. Stamm with M. E. Andrew, *The Ten Commandments in Recent Research* (London: SCM, 1967) 98-99, which views what is prohibited as "illegal killing inimical to the community." See also Solomon Goldman, *The Ten Commandments* (Chicago: University of Chicago, 1963).

both fall under the obligation of nonmaleficence. For Rawls, there is a "natural duty" (i.e., owed to persons generally) not to injure or harm others and not to inflict unnecessary suffering; this natural duty can be derived from the original position.[11] Christian theologians might derive this obligation not to injure or kill others from the norm of agape. The claim that injury and killing are prima-facie wrong is thus compatible with a number of philosophical and religious frameworks.

An overridden or outweighed prima-facie obligation continues to function in the situation and the course of action one adopts. It leaves what Robert Nozick calls "moral traces." It has "residual effects" on the agent's attitudes and actions. As A. C. Ewing suggests,

> If I have a *prima facie* obligation which I cannot rightly fulfill because it is overruled by another, stronger *prima facie* obligation, it does not by any means follow that my conduct ought to be unaffected by the former obligation. Even if I am morally bound to do something inconsistent with it, it should in many cases modify in some respect the way in which the act is performed and in almost all it should affect some subsequent action.[12]

For example, if I think that a stronger obligation requires me to break a promise, I should at least explain the situation to the promisee, ask him not to hold me to the promise, apologize for breaking it, and even try to make it up to him later. At the very least, Ewing goes on to say, the prima-facie obligation to keep the promise "should always affect our mental attitude toward the action" to the extent of evoking regret.[13]

One important difference between many Protestant and Catholic interpretations of just war appears at this point: the appropriate attitude toward a just war that overrides the prima-facie duty not to injure or kill others. In accord with their belief in the universality of sin, many Protestant theologians such as Reinhold Niebuhr insist that the decision to wage war is always "the lesser of two evils," which they understand as "moral" as well as physical evils. Thus remorse and repentance are proper responses. With St. Augustine they stress that wars should be both just and mournful.[14] Many Catholic theologians, joined by some

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[11] Rawls, *A Theory of Justice* 113-14.

[12] A. C. Ewing, *Second Thoughts in Moral Philosophy* (London: Routledge and Kegan Paul, 1959) 110.

[13] *Ibid.* Ross says that "we do not for a moment cease to recognize a *prima facie* duty to keep our promise, and this leads us to feel, not indeed shame or repentance, but certainly compunction, for behaving as we do . . ." (*The Right and the Good* 28). For a criticism of the view that prima-facie obligations retain their tendency to be binding and thus occasion some measure of moral regret, see Maurice Mandelbaum, *The Phenomenology of Moral Experience* (Baltimore: Johns Hopkins, 1969) 79-81.

[14] See Henry Paolucci, ed., *The Political Writings of St. Augustine* (Chicago: Regnery, 1962) 162-83, and Roland H. Bainton, *Christian Attitudes toward War and Peace* (New York: Abingdon, 1960) 98.

Protestants, most notably Paul Ramsey, insist that "an act of self-defense or an act of vindictive justice, although imposed by circumstances which are regrettable, is morally good." For them, "war is not the lesser of two evils, but the lesser of two goods (one of which [i.e., peace] appears, at the moment of choice, unattainable)."[15] Regret may be appropriate, but not remorse.

Whether a war that justly and justifiably overrides the prima-facie duty not to injure or kill others should evoke regret or remorse may be debatable, but it not only engenders certain attitudes but other obligations as well. The traces or residual effects of the overridden prima-facie duty are extremely important, as will be clear in my discussion of just-war criteria such as right intention, proportionality, and just conduct.

Before I develop those criteria, I want to summarize and amplify some implications of the prima-facie duty not to injure or kill others; they are actually presuppositions of many just-war theories that include both *jus ad bellum* and *jus in bello*.

First, because it is prima-facie wrong to injure or kill others, such acts demand justification. There is a presumption against their justification, and anyone who tries to justify them bears a heavy burden of proof.

Second, because not all duties can be fulfilled in every situation without some sacrifices (this inability may be understood as natural or as the result of sin), it is necessary and legitimate to override some prima-

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[15] Joseph C. McKenna, S.J., "Ethics and War: A Catholic View," *American Political Science Review* 54 (1960) 658, cf. 650. For Ramsey's theoretical statement, see *Deeds and Rules in Christian Ethics* (New York: Scribner's 1967) 187-88. It may be useful to mention some trends in recent Catholic moral theology that are similar to the language of prima-facie duties proposed in this essay. Without going into some differences that are also important, Richard McCormick notes that some of the "proportionalists" in recent Catholic theology who have been suspicious of the language of "intrinsic evil" have adopted arguments that resemble Ross's use of prima-facie right and wrong. Such proportionalists do not hold that actions have no meaning in themselves but "only that no final assessment of rightness or wrongness can be made until more has been said of the action than that it is [for example] 'breaking a promise' " (Richard McCormick, S.J., "Notes on Moral Theology 1977: The Church in Dispute," *TS* 38 [1978] 103). They also hold that nonmoral evils (e.g., killings) are to be avoided as far as possible, but admit that such evils may be justified in conflicts of values and disvalues. Such conflicts may give rise to regret but not to moral remorse. The proportionalists are suspicious of the language of intrinsic evil because of the way it has been used in some recent theological and magisterial literature (e.g., to hold that direct sterilization is wrong regardless of the circumstances), because it seems more at home in a deontological than a teleological setting, and because it is confusing. As I understand the debate, my argument is not as close to the position taken by the proportionalists (such as McCormick, Schuller, Janssens, and Fuchs) as to the position developed by Albert R. Di Ianni, S.M., in "The Direct/Indirect Distinction in Morals," *Thomist* 41 (1977) 350-80. Di Ianni distinguishes nonmoral evil (e.g., death) from the free causation of that evil (e.g., homicide). The latter has "at least minimal *moral* meaning in itself prior to consideration of intention and circumstances." Thus, Di Ianni construes concepts such as homicide as "bearers of a negative *moral* meaning (as intrinsically evil in a weak sense) and not merely as bearers of negative ontic or pre-moral meaning." This weak sense of "intrinsically evil" (which he also calls the prima-facie moral meaning of negative acts in the tradition of Ross) implies that the negative moral ought is always relevant but it is not always decisive. Even when an action that is prima-facie or intrinsically evil is justified in particular circumstances, it should engender "creative regret" but not guilt.

facie duties. Some other duties may be more stringent and thus take priority over the duty not to injure others—for instance, the prima-facie duty to uphold justice or to protect the innocent. War thus can be a moral undertaking in some circumstances.

Third, the overridden prima-facie duties should affect the actors' attitudes and what they do in waging the war. Some ways of waging war are more compatible than others with the overridden prima-facie duties not to injure or kill others. War can be more or less humane and civilized. War and politics, or peace, are not two totally separate realms or periods.[16] Both are subject to moral principles and rules, and, indeed, to many of the same principles and rules. War ought to fall within many of the boundaries that are also important in peace.

Theorists and practitioners are commonly tempted to make war merely an extension of politics, so that it requires very little to justify waging war; or they are tempted to make politics and war so discontinuous that once one enters the state of war, previously important moral, political, and legal considerations become irrelevant. Two points need to be affirmed. On the one hand, war must be justified because it violates some of our prima-facie obligations, not because it is totally immoral or amoral or utterly discontinuous with politics; on the other hand, it can be more or less humane insofar as it is conducted in accord with some standards that derive from the overridden prima-facie obligations and other obligations that endure even in war. Furthermore, however much continuity there is between peace and war, peace remains the ultimate aim of a just war.

A model of war as a rule-governed activity stands in sharp contrast to a model of war as hell, which is accepted by most pacifists and by many "realists" who recognize no restraints other than proportionality. Both models are evident in the following passage from Rolf Hochhuth's play *Soldiers:*

> Bishop Bell of Chichester: "We denigrate our men if we suggest that they require directives to tell them that the burning of defenseless persons is murder."
>
> P.M. (savagely, not looking at Bell): "War is murder. The murderer is the man who fires first. That man is Hitler."

According to one view, war is hell, and there is thus only the crime of war, within which anything goes, for "all's fair. . . ." According to another view, war is a game-like (not in a frivolous sense) or a rule-governed conflict, within which one may legitimately injure, kill, and destroy, but not commit war crimes such as injuring or killing defenseless

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[16] Paul Ramsey, *The Just War* 55, 142, 143, 475, and passim.

persons who are noncombatants or excombatants.[17] For the view that war is "total" and without limits, the only critical moral factor is the decision to wage war, and moral blameworthiness may attach to the side starting the war, sometimes even to the side firing the first shot. For the view that war is a rule-governed activity, the *jus in bello* becomes very important. Any adequate theory, however, should not concede that *jus ad bellum* is unimportant because some moral principles and rules persist in war. There is an important and irreducible difference between peace and war, and for that reason the *jus ad bellum* remains indispensable. That difference, however, is not equivalent to the difference between morality and amorality or immorality.[18]

Grounds of Just-War Criteria

Most of the criteria traditionally associated with just-war theories emerge because war involves a conflict between prima-facie obligations (when it is just and justified) and because the overridden prima-facie obligations forbid us to injure and kill others. Many of these criteria apply in other areas, as I have suggested, because of similar conflicts between prima-facie obligations, not because the prima-facie obligations not to injure or kill others are involved at every point. Nevertheless, the content of the prima-facie obligations that are overruled in just wars certainly shapes the criteria, particularly those having to do with *jus in bello,* since the conduct of the war should be as compatible as possible with the overridden prima-facie obligations.

The first criterion of a just war is right or legitimate authority, which is really a presupposition for the rest of the criteria. In fact, it determines *who* is primarily responsible for judging whether the other criteria are met. As Quentin Quade indicates, "the principles of Just War become operative only *after* the classic political question is answered: who should do the judging?"[19] Answering the authority question is a precondition for answering the others; it thus cannot be dismissed as a

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[17] The formulation of the ideas in this paragraph is indebted to some lectures on war by Michael Walzer at Harvard University, fall 1972.

[18] In Paul Ramsey's thought, e.g., the emphasis is on the continuity between politics and war. Thus he concentrates on the *jus in bello*, holding that the "*laws* of war are only an extension, where war is the only available means, of the rules governing any use of political power." See *The Just War* 144, cf. 475. Unfortunately, this emphasis on the continuity between politics and war may be excessive, since Ramsey does not pay enough attention to the *moral* issues in crossing the line between ordinary politics and war—the *jus ad bellum*. One of Ramsey's former students, James T. Johnson, is trying to reconstruct the *jus ad bellum*. See "Toward Reconstructing the *jus ad bellum*," *Monist* 57 (1973) 461-88.

[19] Quentin L. Quade, "Civil Disobedience and the State," *Worldwide* 10, no. 11 (November 1967) 4-9.

"secondary criterion."[20] After the proper authority has determined that a war is just and justified and thus overrides the prima-facie obligation not to injure and kill others, citizens, including subject-soldiers, face a different presumption. Whereas the proper authority has to confront and rebut the presumption against war, the subject-soldier now confronts the presumption that the war is just and justified because the legitimate authority has so decided in accord with established procedures.[21] In all political orders the subject has a moral right/duty—although not a legal right—not to fight if the war is manifestly unjust. And in a democracy the citizen is ruler as well as subject and thus has a greater responsibility to apply these criteria to war. As subject, however, his presumption ought to be that the authorities, if they are legitimate and have followed proper procedures, have decided correctly.

The requirement of a *just cause* is simply the requirement that the other competing prima-facie duty or obligation be a serious and weighty one: e.g., to protect the innocent from unjust attack, to restore rights wrongfully denied, or to reestablish a just order. Because war involves overriding important prima-facie obligations not to injure or kill others, it demands the most weighty and significant reasons.

These obligations cannot, however, be overridden if there are other ways of achieving the just aim short of war. War is the *ultima ratio,* the last resort. The requirement that war be the last resort does not mean that all possible measures have to be attempted and exhausted if there is no reasonable expectation that they will be successful. Nor does it necessarily mean that the side that first resorts to armed force should be condemned.[22]

Insofar as a formal *declaration* is sometimes required, it stems not only from the nature of political society, but also from the requirement that war be the last resort. Ultimata or formal declarations of war "are the last measures of persuasion short of force itself."[23] Although a

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[20] Johnson, "Just War Theory" 42. He appears to think that legitimate authority was a "secondary criterion" for St. Augustine as well, but Augustine's writings indicate that the authority of the prince or state or God's direct authorization is indispensable for just war. See Paolucci, *Political Writings of St. Augustine* 163-66 and passim. In his attempt to reconstruct the *jus ad bellum,* Johnson does not address this criterion except in passing, in part because of limitations of space but also because he thinks that the current de facto definition of right authority (wherever there is sovereignty, there is right authority) is politically workable, although it has some moral difficulties. See "Toward Reconstructing the *jus ad bellum*" 487 n. 46. Any adequate just-war theory must seriously address this question "who decides?" Even in the use of these criteria for justifying and limiting revolution, surrogates for the established authority are often found in the revolutionary elite or the "people." See also Richard Neuhaus' suggestions in Peter L. Berger and Richard J. Neuhaus, *Movement and Revolution* (Garden City, N.Y.: Doubleday, 1970) 164-78.

[21] See John A. Rohr, *Prophets without Honor: Public Policy and the Selection Conscientious Objector* (New York: Abingdon, 1971) 98, and Ramsey, *The Just War* 98, 274-75, 360, and passim.

[22] James T. Johnson does not emphasize the criterion of "last resort," in part because he thinks that it tends to be understood as condemning the first use of force. See "Just War Theory" 44 and "Toward Reconstructing the *jus ad bellum*" 487 (where this criterion is not included in the reconstruction).

[23] McKenna, "Ethics and War" 650.

formal declaration of war may not be appropriate for various reasons, the significance of this criterion, broadly understood, should not be underestimated. Conceding that the best publicists differed on the necessity of a declaration, Francis Lieber defended it because "decent regard for mankind" and "public good faith" require that a government explain and justify its departure from peace.[24] A failure to announce the intention of and the reasons for waging war is a failure to exercise the responsibility of explaining and justifying exceptional action to those involved, including the citizens of one's own country, the enemy, and third parties who have to decide how to respond. An announcement of intentions and explanation of reasons may be more appropriate than a formal declaration of war.

The requirements of *reasonable hope of success* and *proportionality* are closely related. If war has no reasonable chance of success, it is clearly imprudent. But more than a dictate of prudence is involved in the demand for a reasonable hope of success. If none of the just and serious ends, none of the other prima-facie obligations, could be realized or fulfilled through the war, a nation should reconsider its policy, which, after all, involves overriding stringent prima-facie obligations. Nevertheless, numerous qualifications are in order. This criterion applies more clearly to offensive than to defensive wars. And in any war success may be broader than "victory." As Lieber wrote of John Brown's raid, it was irrational, but it will be historical! Success could include witnessing to values as well as achieving goals; for instance, a group might engage in resistance in order to retain self-respect even in its demise. Regarding the limited Jewish resistance in Nazi Germany, some Jewish thinkers have insisted that if the holocaust comes again, Jews must not "die like sheep." Although Ralph Potter has derived the criterion of reasonable hope of success from the moral prohibition of suicide and from the fact that statesmen are stewards of a nation,[25] heroic acts such as falling on a grenade to save one's comrades may be fitting for individuals and suicide itself may be justifiable in some cases, particularly if it can be noble witness to some higher values in the face of certain and imminent death. Even if a nation has good reason to think that it will be defeated anyway, its vigorous resistance may preserve significant values beyond number of lives and retention of territory or sovereignty. Furthermore, what is "reasonable" depends on the situations in which actors have to make responsible decisions; retrospective judgments by others should include only what the actors could and should have foreseen. Finally, this crite-

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[24] See James F. Childress, "Francis Lieber's Interpretation of the Laws of War: General Orders No. 100 in the Context of His Life and Thought," *American Journal of Jurisprudence* 21 (1976) 34-70. This quotation comes from Lieber's "Laws and Usages of War," a lecture given at Columbia Law School, Dec. 3, 1861.

[25] Potter, "The Moral Logic of War" 219.

rion appears only to exclude totally useless, pointless, or self-indulgent warfare which reasonable people cannot expect to achieve goals or to express values. Such warfare is excluded because it cannot override the prima-facie duties not to injure or kill others, duties as binding on states as on individuals.

Regarding *proportionality,* Ramsey writes:

> It can never be right to resort to war, no matter how just the cause, unless a proportionality can be established between military/political objectives and their price, or unless one has reason to believe that in the end more good will be done than undone or a greater measure of evil prevented. But, of all the tests for judging whether to resort to or to participate in war, this one balancing an evil or good effect against another is open to the greatest uncertainty. This, therefore, establishes rather than removes the possibility of conscientious disagreement among prudent men.[26]

Here too defensive measures are less restricted than offensive ones, but this criterion includes the welfare of all countries and peoples and not merely one's own country. Certainly the weight of the cause and the probability of success enter the discussion of proportionality, but the probable negative consequences must also be considered—even beyond the negative feature of injuring or killing others.

The last major criterion of the *jus ad bellum* is right or just *intention* (which along with proportionality is very important in particular battles, engagements, and acts *within* war and not merely for the war as a whole). For the war as a whole, right intention is shaped by the pursuit of a just cause. But it also encompasses motives; for example, as St. Augustine and others have insisted, hatred is ruled out. Some would hold that the dominance, if not the mere presence, of hatred vitiates the right to wage war even if there is a just cause. For example, McKenna holds that a "war which is otherwise just becomes immoral if it is waged out of hatred."[27] Such a contention, however, is difficult to establish; for if all the conditions of a just/justified war are met, the presence of vicious motives would not obliterate the *jus ad bellum,* although they would lead to negative judgments about the agents. Insofar as these vicious motives are expressed in disproportionate force, the infliction of unnecessary suffering, etc., one may condemn the belligerent for violating the *jus in bello.* Nevertheless, this criterion of right intention understood not merely as pursuit of a just cause but also as proper motives remains significant in part because war is conducted between public, not private, enemies. Furthermore, an attitude of regret, if not remorse, is appropriate when a prima-facie obligation is overridden.

[26] Ramsey, *The Just War* 195.

[27] McKenna, "Ethics and War" 652.

Another interpretation of right intention focuses on *peace* as the object or end of war. It too bridges the *jus ad bellum* and *jus in bello,* and I shall emphasize its impact on the conduct of war. St. Augustine and many others have affirmed that peace is the ultimate object, end, or intention of war. In short, war as injury, killing, and destruction is not an end in itself but a means to another end—a just or better peace. Even apart from the justice that is sought, peace retains its moral claim during war and thus constitutes an ultimate or final objective. There is a duty to restore the "normal" state of affairs as quickly and surely as possible.

It may be dangerous, however, to stress that it is urgent to restore peace, especially if peace is defined as the absence of conflict rather than a specific set of relationships which may include conflict; for such an emphasis may engender support for a brutal and total war, which may undermine the limits set by the *jus in bello.* Paul Ramsey holds that unless there is a morality that intrinsically limits the conduct of war, "then we must simply admit that war has no limits—since these can hardly be derived from 'peace' as the 'final cause' of just wars."[28] But if one does not misconstrue peace as the total absence of conflict, one can see how the prima-facie obligation not to injure or kill others persists even in the midst of war by mandating the ultimate object of peace. And through the object of peace (but not only this war) it imposes other restraints on the conduct of war. Since the aim of war is "a just peace," John Rawls contends, "the means employed must not destroy the possibility of peace or encourage a contempt for human life that puts the safety of ourselves and of mankind in jeopardy."[29] General Orders No. 100 of 1863 held that "military necessity does not include any act of hostility which makes the return to peace unnecessarily difficult."[30]

If peace does not require mutual goodwill, it at least requires some trust and confidence. Thus perfidy, bad faith, and treachery are ruled out in part because they are destructive of the ultimate object of peace. If they are prevalent in war, to restore and maintain peace becomes very difficult short of the total subjugation of the enemy. Acceptable ruses of war, according to one commentator on the laws of war, are "those acts which the enemy would have had reason to expect, or in any event had no reason not to expect."[31] Perfidy or treachery involves the betrayal of a belligerent's confidence that is based on moral and/or legal reasons (such as the expected protection of prisoners of war). This requirement of good faith derives not only from the ultimate end of peace but also from the respect for the humanity of the enemy that is expressed in a number of prima-facie obligations.

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[28] Ramsey, *The Just War* 152. On the dangers of an excessive emphasis on the end of peace, see Johnson, "Just War Theory" 43-44.

[29] Rawls, A *Theory of Justice* 379.

[30] See Childress, "Francis Lieber's Interpretation of the Laws of War" 49 and 63-65.

[31] Frits Kalshoven, *The Law of Warfare: A Summary of Its Recent History and Trends in Development* (Leiden: Sijthoff, 1973) 102.

The prima-facie obligation not to injure or kill others should also more directly affect the choice of weapons and methods to fight wars than through the ultimate object of peace. Since this prima-facie obligation is not cancelled even when it is overruled, its impact can be seen in various restrictions of the *jus in bello*.

First, the immediate object is not to kill or even to injure any particular person but to incapacitate or restrain him.[32] The enemy soldier is not reduced to his role as combatant, and when he surrenders or is wounded, he ceases to be a combatant because he ceases to be a threat. He is now an excombatant. As a prisoner of war, he is entitled to certain protections. As a wounded person, he is entitled to medical treatment equal to that of one's own wounded comrades.

Second, directly to attack noncombatants is not legitimate. This principle is sound even if the distinction between combatant and noncombatant is contexual and thus is partially determined by the society and the type of war. In the gray areas, noncombatants include those persons whose functions in factories and elsewhere serve the needs of the person qua person rather than his or her role as military personnel. Thus, while food is essential for the soldier to function, it is indispensable for him as a human being. And chaplains and medical personnel primarily serve the soldier as human being even when their ministrations indirectly aid the war effort. Finally, indiscriminate methods of warfare are prohibited by this principle.

Third, the original prima-facie obligation not to injure others also excludes inflicting *unnecessary suffering*. Thus cruelty (inflicting suffering for the sake of suffering) and wanton destruction (destruction without a compelling reason) are wrong. Such acts are not essential to the war effort. Acts that appear to fall under these vague categories of "cruelty" and "wanton destruction" are not cruel or wanton if they are "necessary." The relation between military necessity and such categories is a serious problem area in the *jus in bello*.[33] At any rate, certain weapons (such as dum-dum bullets and explosive or inflammable projectiles weighing less than 400 grams) are prohibited because they are calculated to cause "unnecessary suffering" or "superfluous injury." The rationale is simple. An ordinary rifle bullet or a projectile weighing less than 400 grams is designed to incapacitate only one person. To make the bullet or projectile do more damage to that one person is to inflict suffering that is unnecessary or superfluous.[34] That suffering offers no military advantage. (Of course, not all suffering that offers military advantage is necessary and justified.)

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[32] Cf. Ramsey, *The Just War* 397, 502, and passim.

[33] See Childress, "Reinhold Niebuhr's Critique of Pacifism," *Review of Politics* 36 (1974) 477-81, and "Francis Lieber's Interpretation of the Laws of War" 63-65.

[34] *Weapons That May Cause Unnecessary Suffering or Have Indiscriminate Effects.* Report on the Work of Experts (Geneva: International Committee of the Red Cross, 1973)

Fourth, even the indirect, incidental, or obliquely intentional effects on civilians must be justified by the principle of proportion.

I have not tried to offer an exhaustive list of the requirements of the *jus in bello,* but rather to show that some restrictions emerge from the continued pressure of the prima-facie duty not to injure or kill others even when it is overridden by the *jus ad bellum.* That duty persists and imposes restrictions indirectly through the ultimate object of peace and directly as in the protection of certain classes, avoidance of unnecessary suffering, and care for combatants who are *hors de combat.*

Application of Criteria: Order and Priorities

Some issues of order and priorities emerged when I examined the way some criteria derive from or relate to others and especially the overridden prima-facie duty not to injure or kill others. But there are other issues also inadequately addressed by contemporary just-war theorists. I want to identify some of them without attempting to resolve them: When public officials or citizens apply these criteria to particular wars, should they apply them in any particular order? Do some criteria have more weight than others? Is a serial ordering possible?

A good place to start is with the question, what makes a war unjust and/or unjustified? Because medieval just-war theorists were mainly interested in the question whether and when Christians could participate in war, they focused on the criteria for just wars and did "not really analyse an unjust war except as a mirror image of a just war."[35] For different reasons, contemporary theorists also focus on just wars and neglect some of the issues that might emerge if they asked when a war is unjust and/or unjustified. How can one recognize an unjust and/or unjustified war?

Some argue that meeting each criterion is necessary for a just war; each is necessary and all are collectively sufficient. Thus the inability to meet any single criterion, such as last resort, renders a war unjust.[36]

A second possible approach would hold that a just war must "more or less" meet or approximate the criteria. No particular criterion is absolutely necessary, but at least several must be met for a war to be just and justified. While such an approach is probably the closest to the way citizens and policy-makers reason, it does not indicate what degree of approximation is sufficient to make a war just and justified.

A third approach would offer a serial or lexical ordering of the criteria, so that some must be met before others can even be considered. While the first approach requires that each criterion be met and the sec-

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12-13. The quoted passage is from the St. Petersburg Declaration of 1868. See also Morris Greenspan, *Soldier's Guide to the Laws of War* (Washington, D.C.: Public Affairs, 1969).

[35] Russell, *The Just War in the Middle Ages* 305.

[36] See Johnson, "Just War Theory" 42, 46.

ond one requires only that some be met, both apply the criteria *en bloc.* The third approach, however, might hold that "just cause" is an indispensable and fundamental criterion that must be satisfied before one can even consider proportionality. While this approach may have the same outcome as the first one, the order of consideration is important.

A fourth approach could consider all or some of the criteria as establishing prima-facie duties, which would then follow the logic already sketched in this essay.[37]

A fifth approach could consider the criteria as "rules of thumb" or "maxims" that identify some morally relevant considerations. We do not start our reflection about war *de novo,* but rather begin with these traditional maxims that illuminate but do not prescribe what we ought to do. While a war is just and justified if it produces the greatest good, these maxims are useful in identifying relevant factors to put on the scale.

These five approaches obviously do not exhaust the possibilities; indeed, several combinations are possible. Nevertheless, they indicate some of the ambiguities in current just-war theories. Although it is possible to make some general points about the order of the criteria on the basis of the prima-facie obligations that are involved (as I tried to do in the order I employed in the preceding section), the order and weight of the criteria will finally be determined for any particular theory by substantive views of justice and other moral principles and values, modes of moral reasoning, etc. Many recent attempts to restate just-war criteria apparently consider them to be questions that policy-makers ought to consider. Without some substantive beliefs, they can say only "consider justice," "consider how much success is possible," "balance the benefits and costs," etc. Thus the criteria would constitute a formal framework for moral debates about the use of force. Perhaps because they are empty, they can serve to organize and orchestrate disputes in the public arena; even pacifists could and did use these criteria to condemn the war in Vietnam. While this function of the criteria should not be disparaged, it is hardly what traditional theorists expected; for they developed their criteria within substantive theories of justice and the common good.

Paul Ramsey prefers to translate *justum bellum* as "justified war" rather than "just war," in part because he does not think that a substantive theory of justice in relation to ends can be developed or that one side can legitimately claim justice while denying it to the other.[38] Such an approach fits with a formal understanding of these criteria.

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[37] In "A Reappraisal of the Just-War Tradition," *Ethics* 84 (1974) 167-73, D. Thomas O'Connor uses Ross's language of prima-facie duty to the criteria of *jus ad bellum* and *jus in bello.* "The rules of just warfare are prima facie duties because they define abstract moral obligations. Thus, a nation ought not to violate a principle of just warfare unless a more important principle takes precedence." O'Connor does not, however, try to show how the principles of just warfare are themselves derivative from certain prima-facie duties.

[38] Ramsey, *War and the Christian Conscience* 15, 28, 31-32.

When a policy-maker raises these formal questions of the *jus ad bellum* and gets affirmative answers, resort to war is "justified" although we cannot say that it is "just." A procedural justification is possible even when we lack a substantive theory of justice. Ramsey is more willing to provide content for *jus in bello* at least in terms of a principle of discrimination that rules out direct attacks on noncombatants. Indeed, he says very little about *jus ad bellum,* concentrating instead on *jus in bello.*

Many classic and contemporary theorists have construed "just cause" to include last resort, reasonable chance of success, and proportionality.[39] A nation does not have a just cause unless these other conditions are also met. Nonetheless, one way to use the just/justified distinction is to restrict the language of "justice" to war's cause or aim and then to determine whether the war is "justified" by reference to the other criteria, including last resort, reasonable chance of success, and proportionality. While a war may be "unjust," according to this approach, when its cause does not satisfy standards of justice, it is "unjustified" when it does not meet the other criteria. It is important to emphasize, as Joel Feinberg has pointed out, that one and the same act need not be both just and justified.[40] It may be *just and unjustified* (e.g., although it renders various parties their due, it violates some other moral principles or results in terrible consequences), or it may be *unjust and justified* (e.g., an unfair act is required to prevent a disaster). Only when a war is both just and justified does a state have a *jus ad bellum.*

In addition to the distinction between justice and justification, the distinction between rights and right conduct, or between rights and their exercise, may be useful, particularly in construing the relation between *jus ad bellum* and *jus in bello.*[41] For example, perhaps one side could meet most of the conditions of *jus ad bellum* but have little chance of success without fighting the war unjustly and unfairly. We might say "You have a right to go to war, but you ought not to exercise that right." Such an approach, however, favors the established military powers. Should a theory of war make it impossible for one country (or revolutionary movement) to wage a "successful" war? Ideological bias and the tension between moral requirements and success must be confronted clearly and honestly.

Does the *jus ad bellum* establish only a right or also a duty to go to war (at least under certain circumstances)? Because the language of duty can lead to or support crusades and holy wars, it is somewhat suspect. There is no prima-facie duty to go to war (i.e., to injure and kill),

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[39] See Walters, *Five Classic Just-War Theories* 316-20, and William V. O'Brien, "Morality and War: The Contribution of Paul Ramsey," *Love and Society: Essays in the Ethics of Paul Ramsey,* ed. James Johnson and David Smith (Missoula, Mont.: Scholars, 1974) 181.

[40] Joel Feinberg, "On Being 'Morally Speaking a Murderer,' " in *Ethics,* ed. Judith J. Thomson and Gerald Dworkin (New York: Harper & Row, 1968) 295-97.

[41] See A. I. Melden, *Rights and Right Conduct* (Oxford: Blackwell, 1959).

but because some other prima-facie duties (e.g., to protect the innocent) may override the prima-facie duty not to injure or kill, there may be an *actual* duty to fight, especially in a situation where the language of necessity seems appropriate. To say that war stands in need of justification because it violates certain prima-facie duties is not to rule out the language of actual duty or obligation in a particular set of circumstances. To think of some wars as duties does not entail modifying or relaxing the *jus in bello*. Even a policeman who has a duty to try to stop an escaped criminal who has taken hostages still must respect certain moral and legal limits.

Finally, what degree of certitude should policy-makers and citizens have about the justice/justification of a particular war? Should they be convinced that the preponderance of the evidence indicates that the war is just/justified according to the above criteria? Or should they be convinced beyond a reasonable doubt?

This essay has attempted to show how traditional just-war criteria can be interpreted and defended in relation to a prima-facie duty not to injure and kill others. Both the notion of a prima-facie duty and the content of the duty not to injure and kill others illuminate the just-war criteria which are analogous to the criteria we use whenever we cannot fulfill all the claims upon us. An overridden prima-facie duty should continue to have an impact on the actors' attitudes and actions, for example, on the *jus in bello* which also expresses other enduring duties and obligations. Finally, I identified several unresolved issues in the application of just-war criteria, particularly their order, priorities, and weight. Theorists of just wars need to pay more attention to numerous issues including the bases, interrelations, and functions of their criteria. Otherwise they will appear merely to posit traditional criteria without foundation and coherence. Of course, such issues constitute only part of the total agenda for just-war theorists in this age. Other critical issues of relevance and application also require attention, but they cannot be adequately addressed if we are not willing to face some of the ethical, philosophical, and theological questions that war raises.[42]

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[42] This essay has benefited from the criticisms and suggestions of several persons including Stanley Hauerwas, James Johnson, Ernest Lefever, James McCartney, Richard McCormick, Paul Ramsey, John Reeder, LeRoy Walters, and John Howard Yoder, and from general discussions of its basic ideas at the University of Chicago Divinity School, a symposium on "Concepts of Justice and Moral Obligation in Relation to War" at Princeton University, Duodecim, and the International Law of War Symposium sponsored by the United States Catholic Conference. One of the most important books on just war theory in this century appeared after this essay was written: Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic, 1977). In n. 17 above, I indicated my indebtedness to some of Walzer's lectures which served as the basis of his book. I have written a long review of *Just and Unjust Wars* for the *Bulletin of the Atomic Scientists,* forthcoming, 1978.

Just War Tradition and Use of Nuclear Weapons

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It is possible to look back at the history of the development of the just war tradition and perceive its origins in terms of the religion of the Hebrews, the philosophy of the Greeks, and the legal codifying genius of the Romans. These three roots—religious, philosophical, and legal—of the great consensual moral tradition of western civilization regarding war have nourished and sustained that tradition as both an effective means of restraining the excesses of armed force and of justifying the proper application of armed force in maintaining or restoring justice, order, and peace. Today, when the just war tradition is under attack on one side by those who object to its restraint on the use of force and on the other by those who regard it as totally inadequate to restrain the force available in modern weapons, it may be useful to reconsider some of the concepts which make up the religious root of the tradition.

Old Testament Religious Root of the Just War Tradition

According to the religious history of the Hebrew people, after the great flood, God established a covenant with mankind. Among the terms of that covenant, we find the following:

> For your lifeblood I will surely require a reckoning; . . .of every man's brother I will require the life of man. Whoever

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> sheds the blood of man, by man shall his blood be shed; for God made man in his own image. (*Genesis* 9:6,7; Revised Standard Version)

In this brief passage, dating back more than four thousand years, the sacredness of human life is established, and that establishment is grounded in no human value but in God himself. It is because of the image of God present in man that the life of man is sacred. But the grounding of the sacredness of human life in the image of God conveys more than the mere notion that murder is wrong. It removes the locus of the offense from man and places it in God. The enormity of the crime is not merely that a human life has been taken but that man has lifted up his hand against God in destroying God's image and, therefore, must die.

This same covenant, then, not only forbids murder but also commands the death penalty for the person who destroys the image of God in another. The principle of the sacredness of human life is universal but not absolute. Every human life is sacred in that every member of the human species, whether rich or poor, intelligent or idiotic, well-formed or handicapped, young or old, beautiful or ugly, friend or enemy, is in some sense a bearer of the image of God. But the protective principle is not absolute. The same covenant which condemns murder commands that the one who sheds innocent blood must be put to death by man. Here we have, at one and the same point, the religious root of the sacredness of human life, of the origin of capital punishment, and, ultimately, of the sovereign's authority and responsibility to make war.

In view of the broadly destructive nature of some modern weapons, it is worth noting, parenthetically, that this same covenant provides for some responsibility on man's part for the welfare of animal life:

> The fear of you and the dread of you shall be upon every beast of the earth, and upon every bird of the air, upon everything that creeps on the ground and all the fish of the sea; into your hand they are deliverd. Every moving thing that lives shall be food for you; and as I gave you the green plants, I give you everything. Only you shall not eat flesh with its life, that is its blood. (*Genesis* 9:2–4; RSV)

The terms of the covenant provide that man has dominion over the animal kingdom but that dominion is not absolute. The life of every animal, represented by its blood, belongs to God and must not be consumed by men. Every animal slaughtered for food and emptied of blood is a reminder that, while man has the use of animals for food, their lives belong to God and, therefore, they must be treated responsibly and not wantonly. While animal lives in their value cannot compare with human lives in their sacredness, animal lives cannot be "counted as the small dust of the balance" either, when we begin to speak of the effects of war and weapons.

Perhaps of even less significance is regard for plant life and yet that, too, is considered in the Old Testament concern for the effects of war:

> When you besiege a city. . .you shall not destroy its trees. . .you may eat of them, but you shall not cut them down. Are the trees in the field men that they should be besieged by you? Only the trees which you know are not trees for food you may destroy and cut down that you may build siegeworks against the city that makes war with you, until it falls. (*Deuteronomy* 20:19,20; RSV)

The environment is to be treated responsibly even in war, and consideration is to be shown even for the trees which are useful only for building material. Only those necessary for the actual prosecution of the war are to be cut down and used for siegeworks. Implicit in the question, "Are the trees in the field men that they should be besieged by you?" is the concept that plants and other property may not be proper targets for destruction in war while enemy combatants are. The notion that it is morally better to attack materiel, stores, and structures than to attack combatant personnel is contradicted by religious insight as well as by ecology and logic. The prohibition of cutting down fruit trees is a safeguard for non-combatants. In areas where olive and date trees provide a significant part of the diet for both men and animals, the cutting down of the trees may make the region uninhabitable for twenty years or more while new trees reach fruit-bearing maturity. It is forbidden to starve the non-combatant population of the region by destroying the trees.

In summary, the Old Testament religious root of the just war tradition provides the principle that human life is sacred because man bears the image of God, but that sacredness, while universal, is not absolute. The environment must be treated responsibly in making war because the lives of animals belong to God even though man has dominion over the animal kingdom and even plant life must be preserved for the sake of feeding the non-combatant population of the future.

New Testament Religious Root of the Just War Tradition

Everyone is familiar with the New Testament emphasis on peace and peacemaking, and this emphasis is usually equated with opposition to war, punishment, retribution and the use of force. There is, however, an emphasis in the New Testament on the proper use of force, retribution, punishment, and war in the establishment of peace, order, and justice. All four Gospels record a cleansing of the Temple. That of St. John declares most clearly the exercise of physical force and coercion by our Lord:

> In the temple he found those who were selling oxen and sheep and pigeons, and the money-changers at their busi-

ness. And making a whip of cords, he drove them all, with the sheep and oxen, out of the temple; and he poured out the coins of the money-changers and over-turned their tables. (*St. John* 2:14,15; RSV)

It has been maintained by some commentators that the whip was used only on the sheep and oxen, but not only does the text indicate that it was used to drive the men but also it is difficult to conceive how one man could drive a number of other men from their place of business without arms of some sort. A whip of cords seems to be the least violent sort of arm which would be effective under the circumstances. In any case, it is clear that physical force at least comparable to corporal punishment was employed by Jesus in the interest of establishing order and justice in the Temple.

At least tacit endorsement of the legitimacy of capital punishment is implicit in Jesus' words to Pontius Pilate in *St. John* 19:10 and 11:

> Pilate therefore said to him 'You will not speak to me? Do you not know that I have power to release you, and power to crucify you?' Jesus answered him 'You would have no power over me unless it had been given you from above; therefore he who delivered me to you has the greater sin.' (RSV)

The implication is clear that the power exercised by Pilate to order executions, however unjustly exercised by him in particular cases, was given by God. Jesus, by his example, endorsed the use of deadly force by the magistrate to maintain peace, order, and justice.

The New Testament attitude toward the military is also instructive. Nowhere in the New Testament is a word spoken against the military or service in the military, *per se*. References to the military are almost uniformly complimentary and metaphors involving military examples or service are repeatedly held up for emulation by Christians in their spiritual lives. The only direct question as to the acceptability of soldiering is found in the account of St. John the Baptist baptizing in the Jordan:

> Soldiers also asked him, 'And we, what shall we do?' And he said to them 'Rob no one by violence or by false accusation, and be content with your wages.' (*St. Luke* 3:14; RSV)

It would have been easy enough to say "Get out of the army," if the coming of the Kingdom of God implied any antithesis between God's peace and military action. But neither tax collecting nor soldiering were condemned, both being necessary for the common good.

Not many recall that the familiar liturgical response, "Lord, I am not worthy that you should come under my roof; but only say the word and (your) servant will be healed." (*St. Matthew* 8:8; RSV)

commemorates the Gentile army officer of whom Jesus said, "Truly. . .not even in Israel have I found such faith," and whose servant Christ healed without one word of censure, reproach, or admonition regarding the military profession. The same is true with regard to Cornelius, the army officer at Caesarea, whose conversion under the preaching of St. Peter is recorded in *Acts* 10.

The teaching of St. Paul in *Romans* 12 and 13 returns to the theme which runs back through Jesus' recognition of Pontius Pilate's authority from God to order the execution of capital punishment to the requirement by God's covenant with Noah that the murder of a human being be avenged by the death of the murderer. The inter-relationship between the Christian's duty to forego personal vengeance and the execution of punishment by the magistrate as God's representative is clear:

> Beloved, never avenge yourselves, but leave it to the wrath of God for it is written, 'Vengeance is mine, I will repay, says the Lord'. . . .Let every person be subject to the governing except from God. . . .Would you have no fear of him who is in authority? Then do what is good, and you will receive his approval, for he is God's servant for your good. But if you do wrong be afraid, for he does not bear the sword in vain; he is the servant of God to execute his wrath on the wrong-doer. *Romans* 12:19–13:4; RSV)

The admonition to the Christian to leave personal vengeance to the wrath of God and the subsequent identification of the governing authority to act as executioner of the wrath of God makes clear the responsibility and authority of the governing magistrate to use force, even lethal force, and to exact retribution, even to the extent of capital punishment, in his capacity as the servant of God who maintains peace, order and justice by bearing the sword.

In summary, the New Testament root of the just war tradition provides for the use of force, retribution, punishment, and war by governing authorities in maintaining or restoring peace, order and justice while at the same time forbidding Christians as private persons from taking personal vengeance.

Excursus

It might appear that the scriptural basis for the authority and responsibility of magistrates cited above, while sufficient to support the domestic use of lethal armed force, is insufficient to support the waging of war by sovereign nation states. This, however, has not been the opinion of scholars, historically.

Aquinas specifically cites *Romans* 13:4 as supporting the proposition that it is the business of the sovereign not only to use the sword in

defense against domestic evil but equally in defense against external enemies by waging war. He goes on to quote Augustine to the effect that natural law requires that sovereigns have the power to declare war.[1]

Luther, citing the same passage in Romans, says that "the sword is. . . to protect the good in peace and punish the wicked with war." In the same section, Luther contrasts the "small lack of peace called war" with the great lack of peace manifested in the world-wide incidence of robbery, murder, rape, and oppression. He goes on to say that it is as childish to see in military action only the destructive effects as it is to see in the work of a surgeon only the amputation of limbs.[2]

John Calvin infers the lawfulness of making war from the necessity of the magistrate's use of arms to suppress domestic evil and inflict punishment on criminals. The punishment of minor injustices perpetrated by natives is seen as a minor part of a prince's duty when compared with the obligation to punish the wholesale injustice implicit in an unjust military aggression.[3]

Aspects of Just War Tradition in a Nuclear Age

One of the arguments advanced against the validity of the just war tradition today is that the nuclear destruction of the entire planet is an evil so great that any risk, however miniscule or remote, of such an event is morally unacceptable and, therefore, the just war criteria no longer have any rational meaning. The sword of governmental authority has, according to this view, become so highly destructive that the magistrate may never wield it at all. There are many variations of this position. Pacifism, nuclear pacifism, no-first-use-of-nuclear-weapons, no-first-use-of-military-force are all espoused by various groups. None of these positions, it seems to me, can be squared with the religious root of the just war tradition.

It certainly is not the function of the moral theologian or ethicist to disarm the magistrate whom God has called to bear the sword which protects the good and punishes evil. Only the rankest utopianism could conceive the notion that the presence of nuclear weapons in the world indicates the end of the need for military sanctions against injustice, oppression, and aggression.

What is called for in a nuclear age is not the abrogation of the just war tradition but the careful application of just war principles to the concrete situation in which we find ourselves. The principle of discriminate

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[1] Aquinas, Thomas, *Summa Theologica II* (Chicago; Great Books of the Western World, vol. 20; Encyclopaedia Britannica, 1952), p. 578.

[2] Kerr, Hugh T., ed., *A Compend of Luther's Theology* (Philadelphia, The Westminster Press, 1974), pp. 198,199.

[3] Kerr, Hugh T., ed., *A Compend of Calvin's Institutes* (Philadelphia, The Westminster Press, 1976), p. 208.

and proportionate means must be applied to nuclear weapons, but weapons must never be condemned merely because they are *nuclear* weapons. The condemnation of weapons because they embody certain mechanisms of destruction is an error which vitiates the entire process of application of just war principles. If, in the actual situation, a nuclear weapon could be used without destruction to the environment disproportionate to the good to be gained by such use and without directly targeting non-combatants and without loss of non-combatant lives in numbers disproportionally greater than the good to be gained, then the forbidding of such use constitutes a usurpation by the ethicist of the authority and responsibility which rightly belongs to the magistrate. What is perhaps worse, it also undercuts the validity and credibility of the ethicist's entire process of judgment.

One of the more subtle ways in which this usurpation takes place is by shifting the responsibility and authority for assessing risks inherent in future contingencies from the officials responsible for making policy decisions to ethicists or to "experts" advising moralists and then foreclosing certain options from consideration by the policy-making officials. A case in point is the argument that because there is not a consensus among "experts" that the use of tactical nuclear weapons to repel an invasion of western Europe by Soviet conventional forces would not escalate to strategic nuclear war, any such first-use-of-tactical-nuclear-weapons is to be condemned.

The decision to declare war has always encompassed the assessment of the risks involved and it is the province of the sovereign to make that assessment based on the counsel he has available to him in his official capacity. Even if the moralist had better experts available to him and more information than the sovereign, he would still lack the essential qualification of office to make a judgment based on the weighing of the risks of possible responses by enemy military forces to the use of discriminate and proportionate nuclear weapons by those of the United States.

The argument that enemy forces might respond by escalating to strategic nuclear force in response to a United States use of tactical nuclear weapons is equally applicable to any use of effective force. If what is to be condemned is any use of force which "experts" cannot certify would not lead to escalation to nuclear holocaust, then the firing of one pistol bullet may be forbidden. One need only look as far as Sarajevo in 1914 to see how chains of escalating consequences may occur. Condemning first-use-of-nuclear-weapons because of the risks involved is no more reasonable than condemning the use of the most minimal military force. In either case the moralist is acting beyond his competence and his office or vocation.

In conclusion: the just war tradition is rooted in Hebrew and Christian concepts of moral responsibility to respect the sacredness of human life and the value of animal life as well as the environment. Such responsibility places limits on the use of force by sovereigns to restrain or

redress injustice and to establish and maintain peace and order. When applied to weapons, those limits have been expressed in the concepts of discrimination between combatants and non-combatants and of proportionality between the destruction wrought and the good to be attained.

The endeavor to apply to discriminate and proportionate nuclear weapons the test of risk of escalation and, thereby, justify forbidding their use is a usurpation by the moralist of the function of the public official in determining and assessing risks in the process of deciding policy matters of war and peace. Such endeavors by moralists undermine the basis of the just war tradition and are likely to result in a loss of credibility of the valid prohibitions of the use of indiscriminate and massively destructive nuclear weapons.

An Exploratory Moral Analysis of Strategic Nuclear Options and Arms-Control Regimes

Dr. Barry J. Smernoff

On Morality

Because it's right.

> President Lyndon Johnson, 1967,
> in response to Aleksei Kosygin's
> statement: "I don't understand
> you Americans backing Israel."

We must strive to speak of them not belligerently but firmly and frankly. And that's why we must never fail to note, as frequently as necessary, the true, the wide gulf between our codes of morality.

> President Ronald Reagan, 1982,
> Memorial Day speech.

The way to begin is to begin.

> President Grover Cleveland

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Introduction

Many possible sets of criteria exist for evaluating the relative benefits or "goodness" of competing strategic nuclear postures and arms-control regimes. Technical feasibility, deterrence credibility, political negotiability, domestic marketability, strategic stability (in the crisis and arms-race senses), and other criteria have been suggested and used over the years. Another completely different set of evaluative measures has always existed but been ignored by professional strategic analysts and members of the arms-control community. With the exception of sporadic but often notable mention of the *moral* dimension of strategic policy and arm control,[1] there has been no serious and sustained interest in applying the well-known knowledge of basic American values and ethical traditions to the problem of *evaluating* the advantages and "goodness" of alternative strategic policies and arms-control schemes.

Understanding the reasons for this stark absence of interest and attention is beyond the scope of this article. Its purpose is to begin a new, hopefully productive, tradition in the analysis of strategic options and arms-control regimes by focusing directly upon the bearing that basic American values, embodied in what Gunnar Myrdal has called "the American Creed" and what Robert Bellah has perhaps more correctly called "American civil religion," have on their relative desirability. Following Samuel Huntington, there is a persistent gap between American ideals and institutions (the IvI gap) that amounts to a perpetual state of *national cognitive dissonance:*

> A gap has always existed between the ideals in which Americans believed and the institutions that embodied their practice. This gap between ideals and institutional practice has generated continuing disharmony between the normative and existential dimensions of American politics. Being human, Americans have never been able to live up to their ideals; being Americans, they have also been unable to abandon them.[2]

From the perspective of American foreign policy and military objectives, the so-called *IvI gap* is especially relevant for shaping American attitudes:

> In America. . . .(it) was assumed that the foreign-policy institutions, like other political institutions, would reflect the basic values of the pre-existing and overwhelmingly preponderant ideology. Yet precisely these institutions—foreign and intelligence services, military and police forces—have functional imperatives that conflict most sharply and dramatically with the liberal-democratic values of the American Creed. . . .

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[1] See Fred Charles Ikle, *Every War Must End* (New York and London: Columbia University Press, 1971), especially pp. 128-31.

[2] Samuel P. Huntington, "American Ideals versus American Institutions," *Political Science Quarterly,* Spring 1982, pp. 1, 10.

GLOSSARY

ABM Treaty	Antiballistic Missile Treaty (of 1972)
ACR	American civil religion
ASAT	Anti-satellite
BMD	Ballistic missile defense
C^3I	Command, control, communication, and intelligence
CF, CV	Counterforce, countervalue
ICBM	Intercontinental ballistic missile
IvI gap	Ideals versus institutions gap
JCS	Joint Chiefs of Staff
Jus ad bellum	Permissible recourse to war
Jus in bello	Just conduct of war
MAD	Mutual assured destruction
MIRV	Multiple independently-targeted reentry vehicle
MX/CSB	MX (advanced ICBM) in closely-spaced basing mode
NCCB	National Conference of Catholic Bishops
NNCF	Non-nuclear counterforce
RFSA	Reciprocal fear of surprise attack
SALT	Strategic Arms Limitation Talks
SBL	Space-based laser (weapon)
SLBM	Submarine-launched ballistic missile
SNDV	Strategic nuclear delivery vehicles (bombers, missiles)
SOF	Strategic offensive forces
SRF	Secure reserve force
START	Strategic Arms Reduction Talks

> In the twentieth century the impossibility of sustained isolation led the United States to develop all these institutions. Much more so than those in western Europe, however, these institutions have existed in uneasy and fundamentally incompatible coexistence with the values of the prevailing ideology. . . . The prevailing American approach to foreign policy thus has not been that of Stephen Decatur ("Our country, right or wrong!") but that of Carl Schurz ("Our country, right or wrong! When right, to be kept right; when wrong, to be put right!") To Americans, achieving this convergence between self-interest and morality has appeared as no easy task. Hence, the recurring tendencies in American history either to retreat to minimum relations with the rest of the world and thus avoid the problem of reconciling the pursuit of self-interest with the adherence to principle in a corrupt and hostile environment, or the opposite solution, to set forth on a "crusade" to purify the world, to bring it into accordance with American principles and, in the process, to expand American power and thus protect the national interest.[3]

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[3] Samuel P. Huntington, *American Politics: The Promise of Disharmony* (Cambridge, Mass.: The Belknap Press of Harvard University Press, 1981), pp. 237-42.

According to Huntington, American responses to the perceived IvI gap have produced (at least) four periods of intense "creedal passion" since the Revolutionary period and the birth of the Nation, eras in which public discontent was widespread and expertise was widely questioned or rejected, traditional American values were stressed in public discussion, moral indignation and outrage over the IvI gap was widespread, hostility toward power was intense. Of course, the most recent period of creedal passion was the 1960's and 1970's when the Vietnam War and Watergate affair produced the virtual abdication of one president (LBJ on March 31, 1968) and the forced resignation of another.[4] There is little doubt that the moral passion and intensity of the rapidly spreading, broadly based, anti-nuclear movement in the United States derives precisely from the clarity of perception (sharpened by Reagan policy) and strong belief in ideals (especially the sanctity of human life) associated with the IvI gap in the contemporary area of strategic nuclear affairs.

Consequently, going back to the *first principles* of American values seems highly appropriate and necessary as an important evaluative tool for comparing alternative strategic options and arms-control regimes. To the extent that certain options and regimes are grossly inconsistent with core American values and directly contrary to the unique thrust of American civil religion—in which ultimate sovereignty has been attributed to God (i.e., "In God we trust,") these would exacerbate the IvI gap if implemented, and produce adverse (and possibly even dangerous) domestic political reactions.[5] This point is especially relevant since the central institution of the presidency has been weakened, perhaps severely, and its incumbent may be unwilling or unable to act as a compelling moral leader to assuage the nuclear-related IvI tensions and smooth the cognitive dissonance. On the other hand, if certain prospective options and regimes are much more consistent with the American Creed than existing ones, the moral and domestic political gradients will tend to influence reality accordingly.

Two further points are worthy of note before plunging into the moral-analytical assessment of competing options and regimes that forms the core of the paper. In 1808, Napoleon stated that in war, moral considerations make up 3/4 of the game, and the relative balance of manpower (and machines, in contemporary terms) accounts for the re-

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[4] Richard M. Nixon resigned on the 29th anniversary of the U.S. (atomic) bombing of Nagasaki, Japan.

[5] If there is any comparable "Soviet civil religion" in the atheistic USSR, it might be composed of a strong blend of Marxist-Leninist ideology and pervasive militarism that is so deeply rooted in post-revolutionary Russia; see Dimitri I. Simes, "The Military and Militarism in Soviet Society," *International Security,* Winter 1981-82. On American civil religion, see Robert N. Bellah, *The Broken Covenant: American Civil Religion in Time of Trial* (New York: Seabury Press, 1975).

maining quarter.[6] Much more recently, Eric Hoffer has written about the centrality of the human factor "that makes industrialized societies so unpredictable and explosive" and "makes it impossible for free societies to have strong governments," as well as the "explosive irrationality of the human condition." He comes down exceptionally hard on intellectuals:

> To an intellectual power means power over men. He cannot savor power by moving mountains and telling rivers whether to flow. He is in his element commanding, coercing, brainwashing, and in general making people love what they hate. He glories in the role of medicine man and charismatic leader and feels God-like when he makes words become flesh. Thus he has made the twentieth century a century of words par excellence. In no other century have words been so dangerous. A failure to recognize this fact can have disastrous consequence. The Occident paid dearly for refusing to take Lenin's and Hitler's words seriously.
>
> Though we find it hard to believe that "in the beginning was the word" and that words created the world, we have seen words ignite genocidal passion and we are ready to believe that words may destroy our world. . . . The unspeakable atrocities of the twentieth century have demonstrated that man is the origin of a great evil that threatens the survival of mankind. The central problem of the postindustrial age is how to cope with this human evil. . . .
>
> The trouble is that the coming of the creative society will be slow and faltering, and we must find other defenses against evil.
>
> As things are now, it may well be that the survival of the species will depend on the capacity to foster a boundless capacity for compassion.[7]

Nuclear threats are words backed up by certain levels of military capabilities. An increasing number of Americans have been worried about the hate-filled words flying back and forth between the nuclear-armed superpowers in the early 1980's, as well as the expert-sounding words that our communities of strategic and arms-control analysts produce in ever-increasing quantities to "explain" why we must have certain options and regimes to the exclusion of others. No wonder that this intellectual confusion has given birth to passionate pleas such as: "Stop!—freeze the nuclear arms race and think seriously about how we can generate momentum for a downward spiral, but don't bother me about strategic stability and negotiability."

Perhaps the single most significant missing feature in our strategic policy and arms-control approach is symbolized by Hoffer's "compassion."[8] But it is *not* missing from the centuries-old tradition of just-war

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[6] The precise quotation is: "A la guerre, les trois quarts sont des affaires morales, la balance des forces réeles n'est que pour un autre quart."

[7] Eric Hoffer, "The Human Factor," *Science, Technology and the Human Prospect: Proceedings of the Edison Centennial Symposium,* edited by Chauncey Starr and Philip C. Ritterbush (New York: Pergamon Press, 1980), pp. 53-57.

[8] Perhaps the greatest commandment in the Judeo-Christian religious tradition is the love of God and love of neighbor, with clear implications for the prominent role of compassion and charity in dealings among men.

doctrine, a practical body of moral guidelines applicable to real-life conflicts that is especially relevant in an age of total war where credible threats of nuclear retaliatory (synonym: *vindictive,* hence certainly *not* compassionate) strikes are deterrent requisites:

> Modern wars show a tendency toward total war. Indeed, this tendency is at the heart of the initiative to outlaw war as an unacceptable instrument of policy. Total war is not the only kind of war, and armed coercion in some form is a requirement of nations in the present international system. Given the unacceptability of total war on the one hand, and the virtually nonexistent hopes for a world without war on the other, some kind of just and limited war remains a necessity. . . .
>
> It is, therefore, the task of the just-war theorist to advise the advocates of total war that both their ends and means are subject to *moral* limits; that *there is no such thing as a moral, unlimited, total war.* . . .
>
> Since 1945 the already difficult problem of total war has been greatly exacerbated by the threat of nuclear war. . . .
>
> Given the perennial need for war as an instrument of policy and the dangers of nuclear war or of reversion to conventional total war, it is necessary to overcome the skepticism about just and limited war.[9] (Emphasis added)

O'Brien proceeds to discuss the complications which offensive wars raise in the just-war tradition:

> . . .in a form now archaic, offensive wars of vindictive justice against infidels and heretics were once permitted. Such wars disappeared with the decline of the religious, holy-war element as a cause of and rationale for wars. Thus, the forms of permissible wars today are twofold: wars of self-defense and offensive wars to enforce justice for oneself. . . . A war of vindictive justice wherein the belligerent fights against error and evil as a matter of principle and not of necessity is no longer condoned by just-war doctrine.
>
> Applying these guidelines to the contemporary world, a U.S. war of self-defense against a Soviet attack is clearly just. Under modern just-war doctrine, without regard to positive international law, a U.S. offensive war to regain Alaska, lost in a previous war of aggression, would be just. Under the original concept of vindictive justice, an offensive war to free the Soviet people from communist rule would be just. Under modern just-war theory, such an offensive war would not be permitted. Nor would it be permitted to launch an offensive war to save a part of the Soviet population from genocide. Indeed, once wars for vindictive justice are removed, the forms of just war amount essentially to an extended right of self-defense.[10]

Such careful distinctions are, of course, essential to the practical utility of just-war doctrine for providing basic moral and legal guidelines—all the more so, for an American people still encumbered, both psychologically and politically, with the heavy baggage of nuclear history

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[9] William V. O'Brien, *The Conduct of Just and Limited War* (New York: Praeger, 1981), pp.

[10] *Ibid.*, p. 22.

in the 1940's. The United States was the first to develop and use, on noncombatants/civilians whose immunity is central in just-war theory,[11] nuclear weapons of mass destruction that now have produced the MAD-based mutual hostage relationship between the two most powerful nations in the world.

An Outline of Just-War Theory

Jus ad bellum: permissible recourse to war

1. Competent authority—war must be waged on the order of public authorities for public purposes
2. Just cause—war can be waged only as an extended right of self-defense, and the probability of success must be acceptable
3. Right intention—war can be waged only for limited objectives, the ultimate of which is a just and lasting peace, and charity should exist even among enemies

Jus in bello: just conduct of war

1. Principle of proportion—the good to be achieved must be proportionate to the evil resulting from the war
2. Principle of discrimination—prohibits direct intentional attacks on noncombatants and nonmilitary targets (it is not surprising that most debates about the morality of modern war have focused on this principle)
3. Prohibited means—genocide (crimes against humanity) is *malum in se* (inherently wrong); means causing superfluous suffering, etc.

The United States has tended to abide by the predominantly moral criteria of the just-war doctrine (see Figure) in wars it has fought since its birth *in war* during the 1770s.[12] In World War II, however, "strategic bombing" tainted this historical record and set the stage for the continuous discussion of nuclear morality ever since:

> . . .the United States had an eminently just cause against Germany. The evil caused by the war was proportionate to the good of accomplishing the

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[11] McGeorge Bundy recently stated that "(w)e sometimes forget that Hiroshima itself was construed as a highly military target. . ." See his "Strategic Deterrence Thirty Years Later: What Has Changed," in *The Future of Strategic Deterrence,* edited by Christoph Bertram (Hamden, Conn.: Archon Books, 1981), p. 6.

[12] Some observers hold that the dominant American military strategy has been one of annihilation in the Napoleonic style, causing Robert Osgood to write in 1957 that "the existence of these (nuclear) and other weapons of mass destruction clearly adds great urgency to limitation," in the sense of limited war. See generally Russell F. Weigley, *The American Way of War: A History of United States Military Strategy and Policy* (New York: Macmillan, 1973). Indeed, when colonial contingents from Massachusetts and Connecticut (which themselves were originally from what is now known as Cambridge, MA) annihilated the fleeing survivors of the Pequot Indians in 1637, it might be said that the "special American tendency to allow wars to grow unlimited" (p. 412) and the American strategy of annihilation were born.

goals of the just cause; there was a good probability of success, but the justice of the war was to some extent imperiled by the demand for unconditional surrender. . . . Overall, the good accomplished by the war against Japan outweighed the evil—up to the last days of the war . . . the conventional bombing of Japanese cities—particularly vulnerable to fire bombing—raised the same questions as city busting in Germany. Obviously, the use of the atomic bomb to destroy Hiroshima and Nagasaki involved evil results that would challenge any claim to proportionate good coming from the successful culmination of the war. . . . On two aspects of right intention the United States and its Western Allies performed well. On the third aspect, charity and avoidance of hatred and vengefulness, the just belligerents risked their just-war credentials by aerial attacks that . . . violated *jus in bello* limitations and manifestly reflected uncharitable motivations. That this lack of charity for the perpetrators of the aggression, the Blitz, widespread war crimes, and genocide was understandable does not alter the fact that, in this regard, the United States and its allies failed the test of right intention . . . while the atomic bombings of Hiroshima and Nagasaki were proportionate to the cost of terminating the war conventionally, they, like most of the area bombing of Germany, were violative of the principle of discrimination. Indeed, it was said after the war that the practice of the United States and its Western Allies had completed the elimination of the principle of discrimination as a viable rule of positive international law. . . . This left the United States at the outset of the nuclear age with concepts and practices contrary to just-war requirements, something that has concerned proponents of just and limited war ever since.[13]

The next section of this article consists of a preliminary moral analysis of alternative strategic policies and arms-control regimes, framed in the just-war setting as it is traditionally interpreted by American observers. The reader should keep in mind that the nuclear-related IvI gap and the national cognitive dissonance it represents flow directly from the existence of very strong core values that collectively constitute the American creed and civil religion—the moral glue binding American society together. It is against these primary values that the relative "goodness" and overall desirability of competing options/regimes will be measured and evaluated. Traditional concepts of strategic stability and political negotiability will not be neglected. They too are contained implicitly in both just-war theory and American civil religion (as it bears on the nuclear issues at hand), but heretofore strategic analysts have not tried to consider them in their proper larger context.

Moral Distinctions Among Strategic Postures and Arms-Control Regimes

From the perspective of the just-war tradition, combined with the more

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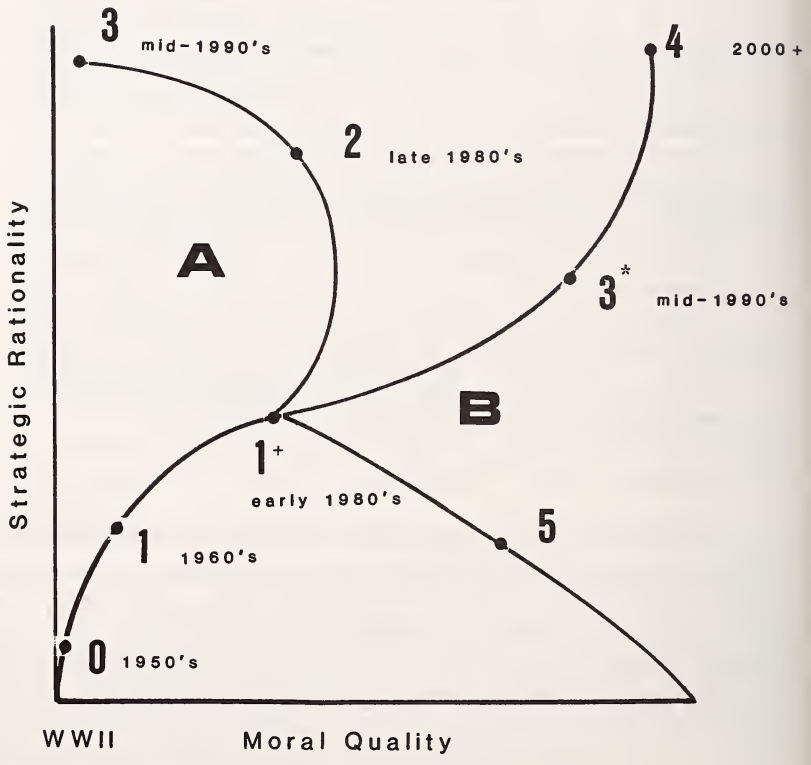
[13] O'Brien, *op. cit.*, pp. 75-87.

Dynamics of Strategic Nuclear Options in a Moral Frame of Reference



STRATEGIC OPTIONS

0	Minimum Deterrence - Pure Countervalue (MAD)
1	Minimum Deterrence - Mixed Target Set
1+	Current Status - Countervailing Strategy
2	Nuclear Warfighting - Counterforce Emphasis
3	Protracted Warfighting - Strong Nuclear Counterforce
3*	Nonnuclear Counterforce
4	Nonnuclear Defensive Emphasis
5	Global Political Revolution (J. Schell)

local and contemporary framework of American civil religion, it is possible to make several important moral distinctions among the basic strategic postures and arms-control regimes. These moral distinctions can be used to separate postures/regimes that may possess good qualities in terms of security effectiveness/credibility and strategic stability but have serious moral defects from those that may possess advantages with respect to evaluate criteria of *both* strategic rationality and moral thinking. Hence the accompanying array of possibilities (Figure 2), with a foretaste of our preliminary findings for several of the basic strategic options.

Before providing brief moral assessments for each of the strategic options, it should be noted that just-war tradition and American civil religion (ACR—separately and together—imply that more nuclear-SOF arms control is generally better (in the moral sense) than less. Since nuclear weapons can be used to secure the nation only through successful *deterrent* threats,[14] fighting central-homeland nuclear war to provide for national self-defense is inconsistent with *jus ad bellum* theories that just war can be waged only as an extended right of self-defense and only for limited objectives. Furthermore, the actual use of nuclear weapons in plausible scenarios could easily violate some combination of *jus in bello* principles of proportion, discrimination, and prohibited means. Consequently, deep-cut arms-control agreements which could sharply limit the role that offensive nuclear weapons play in securing the nation from external threats are of high moral value, at least in *general* terms. The exceptions to this guideline are few; perhaps the most significant is minimum deterrence.

Minimum Deterrence (Options 0 and 1)

The traditional definition of this strategic posture involves reducing current SOF levels by such large amounts (from thousands of SNDVs per side to hundreds) that each superpower is left with a nuclear SRF core capable of assured retaliation against countervalue targets after absorbing a first strike.[15] The moral quality of traditional minimum deterrence (Option 0) leaves a great deal to be desired. Blatant countervalue-only targeting with serious intentions to use the retaliatory deterrent forces if struck first constitutes a gross violation of the principle of discrimination and non-combatant immunity that is perhaps the most basic rule of the

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[14] No one in the strategic analysis business should ever forget that the Latin root of both "deterrence" and "terror" is *terrere:* to frighten. an enlightening moral perspective on terrorism is provided by *The Morality of Terrorism: Religious and Secular Justifications,* edited by David C. Rapoport and Yonah Alexander (New York: Pergamon, 1982).

[15] This definition is termed "tradition" since Jerome Wiesner (former MIT president) and other leading members of the arms-control community, for several decades, have embraced minimum deterrence as the preferred (symmetric) strategic posture. For the sake of further discussion, this tradition definition will be called "Option 0;" SOF = Strategic Offensive Forces, SNDV = Strategic Nuclear Delivery Vehicle, and SRF = Secure Reserve Force.

just-war tradition. Moreover, it contradicts the fundamental ACR right to life, flowing from the sanctity of life (man is made in the image of God)—an inalienable right which applies to *all* men and tolerates no moral or religious distinctions among Americans, Russians, or others.[16] Simply put, in moral terms the traditional conception of minimum deterrence is boh outrageous and bankrupt. From the perspective of strategic rationality, this conception warrants no more than a low-to-medium assessment. Indeed, a positive correlation between strategic rationality and moral quality has held historically, implying that American strategic thinking internalizes a good deal of moral thought (perhaps unconsciously), if not enough to resolve the nuclear-related IvI gap.

The modern variant of minimum deterrence (Option 1), has measurably better moral qualities since the target set is broadened to include military targets. However, the explicit inclusion of leadership and control targets may imply that during actual (limited) nuclear warfare a strong incentive to launch "decapitation" strikes may emerge which might serve to destroy realistic hopes that our adversary could impose escalation control on his own strategic forces (and local commanders), thus widening the nuclear war and producing more, and more indiscriminate, large-scale destruction. Although we cannot be assured that Soviet leaders would fight by the (largely Western and religious-rooted) rules of just-war doctrine, we would be acting contrary to our own war convention if we deliberately cut down the chances of protracted Soviet control and limitation of *their* side of the engagement (the moral equivalent of "it takes two to tango").

Admittedly, there is great tension between acting according to pure strategic rationality, which would imply explicit targeting of leadership and C^3I capabilities as well as political infrastructure to enhance the credibility and effectiveness of U.S. nuclear deterrence, and pure just-war morality, which would imply explicit *nontargeting* of leadership/C^3I to increase the chances for positive control, limits, and discrimination, as well as fulfill the tenuous and controversial dimension of *jus in bello,* "charity."[17] Assessment of nuclear warfighting options in the next section will exhibit this tension even more clearly.

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[16] In the moral/strategic frame of reference used by this article, the inalienable ACR right to life can be understood as follows: it is better to guarantee live Americans than dead Russians, and better yet to guarantee *both* live Americans and live Russians.

[17] Indeed, it could be symmetrically argued in general terms that we are morally obligated not to base our SOF in such a way that they deliberately utilize civilian hostages (as the PLO has done by holding Beirut as a hostage city during the summer of 1982) as a co-location shield. Here again, strategic rationality and moral thinking appear at odds with each other.

Nuclear Warfighting (Options 2 and 3)

The twin set of warfighting options falls on trajectory (Curve A) joining them with Option 1 in moral/strategic 2-space (see Figure 2). Curve A reflects a basic hyperbolic-like trade-off between improving strategic qualities at the expense of moral ones, and conversely.[18] Just as increasing one's capabilities to fight protracted nuclear warfare may be strategically advantageous, tending to enhance the effectiveness and credibility of deterrence, so it tends to be of declining moral preference since it moves closer and closer to treating nuclear weapons "just" like any other kinds of weapons—as long as we are "careful" to abide by the just-war ethic in their threatened or actual use. The ultimate reach of this curve at (or beyond) Option 3 would be the achievement of such an effective and credible warfighting/winning nuclear deterrent that the United States could safely dismantle all of its non-nuclear military capabilities, withdraw its troops from Europe and Asia, and rely *solely* upon its perfected protracted-nuclear-warfighting/winning deterrent to keep the peace and secure vital national interests. However, it appears that movement along Curve A from Options 1 and 2 and eventually toward 3 could amount to an extremely expensive stalemate as the superpowers vie for relative advantage or, at least, for assurance about their retaliatory forces' survivability and penetrability.[19]

Curve A sweeps up through Options 2 & 3 toward higher levels of strategic rationality under the assumption that an arms-control regime exists which will gradually reduce the reciprocal fear of surprise attack (RFSA), through deep cuts and/or deMIRVing, that is the critical psychological mechanism underlying crisis instabilities (incentives to strike first during intense crises). Since a nuclear SRF core remains the backstop for these warfighting postures, and since a strong nuclear emphasis is deliberately kept in them, assessed moral quality declines with time on Curve A—even if the risk of nuclear war remains low or perhaps decreases. The moral proximity between murderous intentions to retaliate and the hypothetical actions that would be triggered by a Soviet first strike—assuming that U.S. deterrence is not entirely a gigantic *bluff,* which could have adverse moral implications in itself (lying and deception on an extraordinary scale)—means that ever-greater emphasis on nuclear weapons and on deterrence is fundamentally contrary to American values. *This is especially true if other alternatives exist for securing*

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[18] It is interesting to note the similarity of this hyperbolic tradeoff with the standard Phillips curve of macroeconomics representing a tradeoff between price inflation and human unemployment.

[19] This line of thinking has been articulated both by General David Jones, former Chairman of the JCS, and Secretary of the Air Force Verne Orr, during the past several months. In this context, it should be noted that perhaps the key reason why Popes have called the nuclear arms race "an utterly treacherous trap for humanity" is that its burden on resources reduces what can (and should, according them) be spent to rectify poverty and hunger, as well as economic injustice in general.

the "common defense" which are less murderous in intent and more in keeping with both the self-defense essence of just-war theory and the life-is-sacred core of American civil religion (more on this point later).

The tension between strategic rationality and moral quality on Curve A is conveyed in telling fashion by Steve Millett's discussion of Soviet first-strike fears (RFSA, as seen from Russion shoes). Heavy Soviet emphasis on vulnerable land-based ICBMs having excellent counterforce capabilities implies that:

> the strategic incentive for the Soviets lays with the preemptive strike, with all the advantages of preparation and surprise, not with the second-strike strategy of mutual assured destruction deterrence . . . the apparent Soviet obsessive fear of a first strike from the U.S. is potentially destabilizing. . . The safest policy for the U.S. is to strengthen its second-strike capabilities and minimize its first-strike threat to the USSR. If the United States truly wants deterrence in the absolute sense of preventing *any* general nuclear war, whether initiated by the United States or the Soviet Union, then it must strengthen its own nuclear forces in such a way as not to increase Soviet perceptions of its own vulnerability to the point where the Soviets feel that they have to attack first in order to preclude disaster for themselves. . . Either the United States should pursue with all vigor a first-strike capability and *use it* against the Soviets, or it should further its second-strike deterrence in the faith that nuclear war can be prevented even in moments of great crisis. To threaten a first-strike against the Soviet Union and then not carry it out when the opportune moment arrives is a strategy that begs for Soviet nuclear preemption and general nuclear war.[20] (Emphasis is added)

Indeed, if this passage reflects how Soviet leaders may increasingly perceive U.S. strategic intentions and postures, the implicit strategic imperative to "use it" at the opportune moment means that U.S. nuclear warfighting capability become increasingly immoral on Curve A as it tends to squeeze actions even closer to intentions to enhance the credibility of nuclear deterrence. All the more so, if Edward Luttwak's scathing moral critique of the pro-freeze portion of the U.S. antinuclear movement is close to the mark:

> . . . Schell and his followers are in practice indifferent to the prospect of a large and very destructive non-nuclear European war. For such a war is the likely outcome of any prolonged "freeze," because a decline in nuclear deterrent forces would be inevitable, as worn-out weapons are not replaced; and without nuclear deterrence, great-power politics would resume as before 1945. Looking back on the events of the last generation, with its many and dangerous crises, it is impossible to believe that another world war could have been avoided had it not been for the terror that nuclear weapons inspire . . . By what doctrine of theology, by what theory of morality, but (sic) what rule of ethics is it decreed that the small risk of of nuclear war is

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[20] Stephen M. Millett, "Soviet Perceptions of Nuclear Strategy and Implications for U.S. Deterrence," *Air University Review,* March-April 1982, pp. 55-57.

a greater evil than the virtual certainty of the large-scale death in great-power wars no longer deterred?[21]

What Luttwak misses completely, of course, is the notion that the "virtual certainty" of Soviet aggression in Europe (and elsewhere) might be deterred as effectively by *non-nuclear means* involving a strong blend of advanced technology and politico-military measures, and that *if* this approach is a realistic option for securing Europe and other regions, its moral qualities would be significantly higher than those of the nuclear counterforce options.

The positive correlation of moral and strategic value exhibited on Curve B, representing the historical evolution of U.S. strategic postures after Hiroshima/Nagasaki, could be interpreted to mean that future movement up Curve A may be unattractive in the sense that the nuclear-related IvI gap would be exacerbated by it, with negative (and perhaps severe) implications for domestic politics. Moreover, the role of BMD in the nuclear war-fighting options does not directly involve protection of human lives, but protection of hardware (such as MX/CSB) to bolster the counterforce deterrent. By no stretch of the imagination could this type of BMD deployment earn a positive moral assessment; seen in its power setting, it would serve to entrench the nuclear emphasis and make long-term movement away from the counter-value deterrent core even *more* difficult. We would do better to explore the extrapolated portion of Curve B beyond Option 1+ for strategic postures and arms-control regimes that could increase *both* strategic and moral value, rather than one at the expense of the other.

Nonnuclear Defensive Emphasis

There are two principal strategic possibilities for achieving high levels of moral quality, corresponding to two types of extrapolations of Curve B toward higher levels of moral value (see Figure 2). The first, which could be called Jonathan Schell's branch, represents a global political revolution which would rid the earth of both nuclear and nonnuclear weapons, as well as the sovereign system of nation-states to arrive at a *denuclearized* world in which even just wars would become unnecessary since the basic entities requiring self-defense, as well as prospective attackers, would no longer exist.[22]

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[21] Edward N. Luttwak, "How to Think About Nuclear War," *Commentary,* August 1982, p. 28. Another interesting critique of antinuclear views from a quite different political perspective is Theodore Draper's "How Not to Think About Nuclear War," *The New York Review of Books,* July 15, 1982.

[22] Jonathan Schell, *The Fate of the Earth* (New York: Alfred A. Knopf, 1982).

Turning from that truly revolutionary prospect toward a more realistic and hopeful one, we find that the option of defensive emphasis—assuming that it *is* a viable strategic option, supported by emerging technologies that could be converted into practical and cost-effective military hardware with some "reasonable" investment of resources—lies on the branch of Curve B near relatively high values of both moral thinking and strategic rationality. An *authentic* policy of defensive emphasis, designed to protect American population and territory, could facilitate a major shift from nuclear deterrence to nonnuclear defense as the basic means of securing the Nation from direct external threats to its survival.[23] Hence such a strategic posture could secure the Nation from nuclear attack and thereby fulfill the moral obligation of self-defense, but *without* relying upon those "engines of destruction whose very purpose is to inflict genocide" which Fred Ikle and many others find so morally abhorrent, and which fuel the nuclear-related IvI gap that has manifested itself so clearly in the shape of a burgeoning antinuclear movement.

Indeed, it is possible to conceive of this extrapolated branch of Curve B as a graphic representation of how we Americans could find our way out of what might be called the nuclear trap, whose defining essence is the mutual hostage relationship of nuclear MADness,[24] into a long-term future phase of the nuclear age (say, 1995-2045, perhaps beginning just before the *millenium* which itself has crucial moral/religious connotations) where the role of nuclear weapons is increasingly deemphasized. But this would hopefully occur without incurring the type of self-deception that idealistic "solutions" to the problem of national defense often imply.

In this frame of reference, then, the basic reason that the historical trajectory for the evolving U.S. nuclear posture exhibits a positive correlation between the two measures of strategic utility and moral value can be clarified. This track in moral/strategic 2-space is the result of opposing forces tending to pull U.S. strategic policy toward higher levels of *both* strategic rationality and moral thinking. Had the strategic tug been overwhelming at the expense of moral restraint, an American preemptive strike against the Soviet nuclear establishment might have been undertaken during the icy days of the (first) cold war during the 1950s. Such nuclear preemption was doubtlessly feasible and would have been quite effective in strategic terms, but of course was ruled out on the

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[23] BMD and other systems which *only* protect SOF, C^3I, and other military assets should not be subsumed under "defensive emphasis" since, in themselves, they would not alter the offensive/deterrent thrust of U.S. strategic policy. "Defensive emphasis" should be reserved for concepts which involve authentic movement from nuclear deterrence toward non-nuclear defense as the means for coping with Soviet nuclear threats to American survival.

[24] See Spurgeon M. Keeny, Jr. and Wolfgang K. H. Panofsky, "MAD Versus NUTS: Can Doctrine or Weaponry Remedy the Mutual Hostage Relationship of the Superpowers?" *Foreign Affairs*, Winter 1981/82, for the case that "we are fated to live in a MAD world."

grounds of being immoral and "unAmerican!" Conversely, had the moral pull been overwhelming at the expense of a clear conception of strategic realities, unilateral nuclear disarmament would have been achieved long ago.[25]

Given this historical evolution of U.S. strategic policy, as channeled by contending pressures from the strategic and moral dimensions of human activity and thought, it might be unrealistic to expect stark differences in the future. And this is perhaps the primary reason why Curve B appears more likely to describe our strategic future than the historically "deviant" Curve A—even if everything else is *not* "equal," such as the detailed military implications of each. First principles strongly suggest that American strategic policy walks a rather narrow line between strategic rationality and moral quality. Accordingly, Curve A will be increasingly perceived as a non-starter (for stability and economic reasons, as well as moral ones) and we will probably continue up Curve B—albeit making major changes in the way we understand and carry out our strategic business (note the inflection point near Option 1+).

Assessment of the Strategic Options According to the Draft NCCB Rules

The most recent attempt to apply just-war thinking to the problem of nuclear deterrence has been carried out by a committee of five U.S. Catholic bishops chaired by Archbishop Joseph Bernardin (formerly of Cincinnati, and recently installed as Cardinal Cody's successor in Chicago). A revised version of the draft pastoral letter, "God's Hope in a Time of Fear," will be discussed in some detail by the entire U.S. Catholic hierarchy at the annual meeting of the National Conference of Catholic Bishops (NCCB) in mid-November.[26] For our purposes, it suffices to use six main points on the morality of nuclear weapons as drafted by this NCCB committee and summarized by *The Washington Post,* in order to assess the basic strategic options according to the best contemporary in-depth interpretation of just-war theory applied to the nuclear age.[27] These points follow:

1) No use on civilian targets, ever, under any circumstances;

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[25] It is *very* interesting and important to note that both strategic reality and moral duty have precluded the "option" of unilateral disarmament from ever being a serious one in the United States. The moral obligation of protecting one's precious values and loved ones leads directly to the duty of self-defense, and in the early nuclear age there have been no technological and political alternatives to deterrence as a means of "self-defense." On the other hand, as soon as such (non-nuclear) alternatives of self-defense become available, through combinations of advanced technology and political diplomacy (e.g., bilateral arms control), then we have a moral obligation to find a path *out* of the nuclear trap toward non-deterrent means of self-defense.

[26] "Response Causes U.S. Catholic Bishops to Delay Vote on War-Peace Statement," *The Washington Post,* August 7, 1982, p. B6.

[27] Marjorie Hyer, "Nuclear Weapon Use Immoral, Bishops State," *The Washington Post,* June 19, 1982, p. A7.

2) No first strike, on however restricted a scale;
3) Any threatened use must be governed by points 1 and 2;
4) If nuclear weapons may ever be used, it is only in retaliation for a nuclear attack, and then "only in an extremely limited, discriminating manner against military targets;"
5) Possession of nuclear weapons as a deterrent is morally acceptable only if there is a commitment to the first four rules; and
6) The morality of any use or even possession of nuclear weaponry is contingent on the government's willingness to engage "seriously" and "energetically" in negotiations for arms reductions.

Viewed from this tightly circumscribed moral perspective, Option 0 (minimum deterrence with a clear countervalue targeting emphasis and little, if any, room for counterforce capabilities) would violate the third NCCB rule since the only credible threat posed by this type of minimum deterrent would be to bust cities; similarly, rules 4 and 5 would be violated. Option 1 comes out somewhat better; however, it also violates rule 3 since the retaliatory core would rely for credibly effective deterrence principally upon a city-busting capability, and such a threat—even if implicit—would be clearly understood as constituting the central position within this strategic posture.[28] Furthermore, since counter-C^3I strikes could reduce Soviet abilities to impose limitations and discrimination on *their* side of any nuclear engagement, this part of the Option 1 threat could not be judged fully compatible with rule 4. Consequently, the positions of Options 0 and 1 on Figure 2 seem quite consistent with their moral qualities, as measured against the NCCB standards of nuclear morality.[29]

The two warfighting options present more complex situations since they deliberately embody much more emphasis on counterforce targeting. Indeed, it may be argued that when various U.S. Secretaries of Defense stated that the President should not be forced to resort to an all-out countervalue response in the hypothetical case of a Soviet nuclear first strike, and that a wider range of retaliatory options must be provided, they were implicitly making the case for what the NCCB set forth

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[28] Michael Walzer, interpreting moral theologian Paul Ramsey, holds that "the mere possession of nuclear weapons constitutes an implicit threat which no one actually has to make. . . No matter how often we declare and quite sincerely declare, that our targets are an enemy's forces, he can never be quite *certain* that in the fury or the fog of war his cities may not be destroyed'. . . And men and women are responsible for the threats they live by, even if they don't speak them out loud." See Walzer's *Just and UnjustWars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977), p. 281.

[29] The reader is invited to apply his or her own set of moral rules to assess the relative strength of the basic strategic options. But this should be done under an important meta-rule: any legitimate set of rules of nuclear morality must be consistent with the just-war tradition and the basic values of American civil religion, both having deep and meaningful historical roots.

in rule 4 and thus reflecting the fundamental principles of discrimination and noncombatant immunity derived from just-war tradition. There are two critical moral issues regarding Options 2 & 3. First, a countervalue deterrent core (the so-called secure reserve force, or SRF), whose essential purpose is to backstop everything else as an *intrawar* countervalue deterrent, still exists. This SRF core, of course, violates rules 3 and 5. Second, since the type of counterforce capabilities that are traditionally considered in these two warfighting options tend to promote both crisis and arms-race instabilities without more serious arms-control intentions for rectifying these problems than heretofore revealed, these options violate rule 6.

If a *pure counterforce deterrent* could be developed and deployed, would this have much better moral qualities as measured by the NCCB 6-fold way? Asking this question introduces the tradeoff between trying to develop a pure CF deterrent and using arms-control approaches which *themselves* might be based on forms of CV deterrence violating the NCCB rules of nuclear morality. Mutual nuclear vulnerability as codified in the ABM Treaty of 1972 is not conducive to high moral value; more precisely:

> If . . . a counterforce deterrent could be established that was sufficiently potent to replace the MAD countervalue deterrent, it would bring with it welcome prospects of conformity with the principle of discrimination. . . The alternative to developing sufficient, counterforce, nuclear deterrence and defensive capabilities and strategies is arms control. This alternative is strongly urged by the church. However, *it is clear that in the present era arms-control efforts are themselves based on nuclear deterrence—the worst most indiscriminate, hence immoral,* kind of nuclear deterrence. In these circumstances, the development of limited, nuclear war, counterforce capabilities and strategies is the course most responsive to imperative political-military necessities, on the one hand, and the requirements of just-war doctrine and of arms-control goals, on the other. . .
>
> If the United States has the capability to inflict unacceptable damage on the USSR through counterforce attacks ony, then we are in a fortunate situation wherein both the deterrent threat and the "fight-the-war" capability are potentially consonant with just-war/limited-war standards. There remains, to be sure, the everpresent specter of escalation to sustained strategic countervalue exchanges once any nuclear weapons have been used. There is also a major question of the extent of collateral damage in the event of major counterforce attacks. But at least it is possible to imagine a just and limited counterforce nuclear war.
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> Such an option, of course, depends on the state of military technology and on the willingness of belligerents to draw and hold the line between strategic counterforce and countervalue nuclear war. . . . Counterforce nuclear war is not as bad as countervalue nuclear war, either in practical or moral terms, *but it is bad enough.* It would require a very determined people with outstanding leaders to survive a counterforce nuclear war and keep it limited to counterforce.[30] (Emphasis added)

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[30] O'Brien, *op. cit.*, pp. 139–40; pp. 242–43.

These last points, of course, get down to the nub of the moral/strategic problem. If a counterforce deterrent could be developed and deployed, would the American people qualify as a "very determined people with outstanding leaders" who could keep a (just!) counterforce nuclear war limited? Since the crux of the matter is to develop means that could effectively destroy the enemy's nuclear weapon systems, could such CF capabilities be deployed on *both* sides without greatly increasing the reciprocal fear of surprise attack (RFSA), hence the overall risk of nuclear war through the mechanism of crisis instability? More specifically, would BMD systems conceived for protecting CSB arrays of MX missiles prove useful for enhancing the credibility and effectiveness of counterforce deterrents that just-war theory (and the draft NCCB rules of nuclear morality) tell us we should be developing to replace the morally unacceptable CV capabilities we have inherited from the past, and therefore have more auspicious moral qualities than was stated in a previous section? Or would we be *much* better off, as seen from the two-fold moral/strategic perspective, to "go all the way" and vigorously develop BMD and air defense systems which eventually could protect the Nation (and possibly our allies) and sharply reduce our long-term reliance upon *any* kind of nuclear deterrent? In fact, are we morally obligated to seek alternatives to "nuclear MADness" and to bear reasonable risks to prove that we are *not* fated to live in an essentially MAD world indefinitely?

The Policy Implications of Just-War/ACR Tradition and Strategic Stability

It is quite true that the just-war ethic, interpreted within the tradition of American civil religion, strongly implies that counterforce deterrence is the best (and possibly only moral) path to take in the nuclear age. Unfortunately, every moral study of nuclear deterrence stumbles seriously on what type of counterforce deterrent should be developed and how it can be realistically used without producing either strategic instabilities or virtual violations of the principle of discrimination. For example, Paul Ramsey's central claim is that it is possible to prevent nuclear attack without threatening countervalue retaliation, stating that "the collateral civilian damage that would result from counterforce warfare in its maximum form" would suffice to deter potential aggressors.[31] Walzer's critique of a CF balance of terror through "death by indirection" is very relevant:

> . . . the entire burden of Ramsey's argument falls on the idea of death by indirection. That is indeed an important idea, central to the permissions and restraints of conventional war. But its standing is undermined here by

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[31] Paul Ramsey, *The Just War: Force and Political Responsibility* (New York: Charles Scribner's Sons, 1968), p. 252; see also p. 320.

> the fact that Ramsey relies so heavily on the deaths he supposedly doesn't intend. He wants, like other deterrent theorists, to prevent nuclear attack by threatening to kill very large numbers of innocent civilians, but unlike other deterrent theorists, he expects to kill these people without aiming at them. That may be a matter of some moral significance, but it does not seem significant enough to serve as the cornerstone of a justified deterrent.[32]

Clearly, a morally viable CF nuclear deterrent must stand on its own merits without resorting to CV-like threats of large-scale killing of innocent lives, even through the indirect mechanism of collateral damage.

The evolution of prompt hard-target counterforce capabilities such as that embodied in MX and Trident II missile systems, when combined with enduring/reconstitutable C^3I capabilities, and with strategic doctrine and targeting philosophy for undertaking protracted nuclear warfighting, is the most recent promising approach for enhancing U.S. nuclear deterrence of Soviet attacks. As noted above, however, the moral problems with this approach are two-fold. First, the SRF core holds out the distinct prospect of CV strikes as any nuclear engagement progresses. Perhaps more important are the *crisis and arms-race instabilities* accompanying this contemporary thrust toward a counterforce orientation. Once the two superpowers each possess highly accurate Mirved ICBMs and SLBMs, the RFSA mechanism raises incentives—perhaps greatly—for striking first in deep crises.[33] Adding hard-point defenses would increase the attacker's uncertainty and reduce his level of first-strike confidence, but perhaps *only* at the margin, so that these defensive systems may not cure the RFSA problem. Furthermore, serious preparations for protracted nuclear warfighting (i.e., movement along Curve A toward Option 3) could require enormous amounts of resources (General Jones talked in June about a bottomless pit of federal spending, and more recently Secretary Orr has written about the problem in similar terms), implying that the *traditional* path toward effective pure CF deterrence could easily involve several more turns up the morally unacceptable arms-race spiral, and even then produce an expensive stalemate with dubious moral properties which has not enhanced deterrence credibility by a large amount.

Clearly, this type of path toward what theoretically could be a morally attractive pure CF deterrent appears bleak in both moral and strategic terms when placed under scrutiny. However, counterforce capabilities need not always be vested in nuclear weapons carried by delivery systems with the mission of destroying opposing nuclear weapon systems *before* they are launched. Indeed, if the existing body of nuclear morality dictates that pure CF deterrence is "good" compared to CV deterrence,

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[32] Michael Walzer, *op. cit.*, p. 280.

[33] See Steve Millett's recent paper, cited above.

it is only because the current immaturity of moral thinking about nuclear weapons/warfare, and its lack of integration with the technical and political dimensions of strategic rationality, do not permit serious consideration of alternative strategic policies that may be as feasible in technical terms—and as desirable in arms-control terms—as they are desirable in moral terms.

Consider *non-nuclear post-launch counterforce* capabilities (NNCF) which could only interdict Soviet SNDVs just *after* launch. RFSA-related crisis instabilities would not be associated with these new capabilities, since they are useful only *after* Soviet missiles or bombers are launched. Moreover, arms-race instabilities that could lead to a pernicious offense/defense race in the pursuit of traditional nuclear CF deterrence capabilities (Options 2 & 3) would not surface in this NNCF approach (although other types of arms-race pressures might develop as countermeasures for increasing the post-launch survivability of Soviet SNDVs were implemented). But the basic point is that if the United States did not *have* any nuclear weapons, it would be forced to develop NNCF-like systems as rapidly as possible for limiting damage to the United States that Soviet nuclear attacks could produce in the event war erupted.

Indeed, the fundamental rationale for the just-war emphasis on nuclear CF deterrence is that military assets become quite legitimate nuclear targets once war has erupted, as long as nuclear attacks on these targets are carried out in a limited and highly discriminating (retaliatory) manner to minimize collateral damage to noncombatants. Similarly, it would be even "better" in both moral and strategic terms if the U.S. could credibly threaten *non-nuclear* counterforce actions on a broad spectrum of Soviet military targets in response to any first strike on the U.S. It would be better on moral grounds since the risk of escalation to large-scale nuclear warfare involving millions of non-combatant hostages would be reduced, perhaps greatly, and better on strategic grounds since the nuclear threshold would be raised, thereby enhancing the credibility of the nuclear CV deterrent core—but *without* introducing dangerous crisis instabilities such as those that accompany Options 2 & 3—which will always backstop any new nonnuclear CF capabilities.

Of course, this is where BMD plays a critical role. After all, NNCF capabilities are nothing but BMD damage-limiting capabilities in different guise. Hence the following staged strategic transition can be envisioned, given the levels of both technical nerve and moral imagination needed to make the required decisions:

1) Current movement away from Curve B toward Curve A would be slowed because Option 3 embodies a *re-emphasis* of nuclear weapons—and hence of irreducibly immoral nuclear threats to innocent lives—as well as various strategic instabilities and budget-breaking risks;

2) U.S. strategic policy would get back on its historical track in moral/strategic 2-space by developing an intermediate mix of nuclear and non-nuclear counterforce capabilities which increase both the credibility and effectiveness of nuclear deterrence and begin to *de-emphasize* nuclear weapons;[34]
3) A strong blend of arms-control diplomacy and advanced technology is developed to facilitate a long-range shift from nuclear offense toward non-nuclear defensive emphasis (Option 4), building on the intermediate outcome (above) as the point of departure.

This approach is quite different from any offered by factions within the American anti-nuclear movement, although it would not be incompatible with deep-cut arms control regimes that could follow "mutual and verifiable" nuclear freezes. Its unique aspect is that it takes very seriously the moral obligation to provide for national self-defense, a duty flowing from realistic understanding of the tragic and conflict-ridden side of human nature, but without falling into the inertial trap of demanding that nuclear weapons *must* play a preeminent role in national self-defense, or that we are *fated* to be hostages in a MAD world forever.

Indeed, just as we are under customary and Constitutional obligations to provide for the "common defense," so we are under a compelling moral duty to find an exit out of the *metastable* nuclear MADness that we currently call our strategic way of life.[35] Specifically, as Michael Walzer points out:

> Nuclear war is and will remain morally unacceptable, and there is no case for its rehabilitation. Because it is unacceptable, we must seek out ways to prevent it, and *because deterrence is a bad way, we must seek out others* . . . deterrence itself, for all its criminality, falls or may fall for the moment under the standard of necessity. But as with terror bombing, so here with the threat of terrorism: *supreme emergency is never a stable position.* The realm of necessity is subject to historical change. And, what is more important, we are under an obligation to seize upon opportunities of

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[34] This is a logical extension of James T. Johnson's view that "(t)he idea of counterforce targeting represents a serious and valid effort to describe a relatively more moral intermediate stage until a way is found to move beyond strategic nuclear deterrence." (see his article in this issue).

[35] At best, the strategic balance of nuclear terror is metastable because large-enough political perturbations—and especially misperceptions and misunderstandings, which have been tragically abundant throughout recorded history—can produce intense crises and conflicts that could take emotional and irrational man into the abyss. See generally John G. Stoessinger's fine books, *Nations in Darkness: China, Russia, and America* (New York: Random House, 1981—3rd edition), and *Why Nations Go to War* (New York: St. Martin's Press, 1978—2nd edition). Since the nuclear age began in World War II, it is fitting to cite Adolph Hitler's famous lines:

> We will never capitulate, never . . . We might be destroyed, perhaps; but we will drag a world with us—a world in flames.

escape, even to *take risks* for the sake of such opportunities. So the readiness to murder is balanced, or should be, by the readiness not to murder, not to threaten murder, as soon as alternative ways to peace can be found.[36] (Emphasis added)

There is little doubt that Walzer would endorse a prospective strategic transition from nuclear offense toward non-nuclear defensive emphasis, and perhaps even admit the practical need for an interim outcome with a mix of nuclear and nonnuclear counterforce capabilities to smooth the way (Option 1+ may evolve into Option 3* along Curve B, as an acceptable waystation toward Option 4). Just as important, if not more so, Walzer would tend to argue that *technical and politico-military risks should be taken* for the sake of exploiting the MAD-exiting opportunity presented by this transition path—and it is fortuitous that this path is really a continuation of the uniquely American balance between strategic and moral factors along Curve B!—toward defensive emphais.[37] On the other hand, the draft NCCB pastoral letter warns that care and prudence is warranted:

> . . . to deny the deterrent any moral legitimacy may bring about worse consequences than we presently live with under conditions of deterrence. The deterrence relationship which prevails between the United States, the Soviet Union and other powers is objectively a sinful situation because of the threats implied in it and the consequences it has in the world. Yet movement out of this objectively evil situation must be controlled lest we cause by accident what we would neither deliberately choose nor morally condone.
>
> While progress toward a world freed of the threat of deterrence must be controlled, it must not be delayed. There is an urgent moral and political responsibility to use the "peace of a sort" we have as a framework to move toward authentic peace through nuclear arms control, reductions and disarmament. Of primary importance in this process is the need to prevent development and deployment of destabilizing weapons systems on either side. . . . For the present we reluctantly tolerate the American government's reliance on nuclear deterrence, because unilateral withdrawal from this reliance has its obvious and grave risks. . . . But our toleration must be

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[36] Michael Walzer, *op. cit.*, p. 283. This passage should be compared with that of Fred Ikle (p. 1, above) for moral tone and substantive implications thereof, as well as for what they both say about the traditional conception and understanding of strategic stability. No wonder that the "destabilizing" nature of BMD has taken the character of arms-control dogma! The traditionalists were (and still are) deathly afraid that our ACR-rooted moral values will force us to develop the technical means of national self-defense (*population* defense, not hardware defense according to a subtle theory of deterrent uncertainty). This prospect, flowing from the essential nature of American politics as driven by a broad range of IvI gaps, is probably very threatening to so-called MADvocates.

[37] Within this *moral* frame of reference, the fact that the United States and the Soviet Union "would benefit enormously if they could easily make the transition to a defense-dominated world . . . in which both rivals were confident they could defend their homelands effectively against nuclear attack" and "(p)erceived vulnerability to a surprise strike, to unauthorized use of nuclear weapons, or to an attack by a third party would decline dramatically in both Washington and Moscow," strongly implies that the burden of proof rests on those who would *not* have us make the move—technical and political risks notwithstanding. See Michael Nacht, "ABM ABCs," *Foreign Policy,* Spring 1982, p. 174.

conditional upon sincere, substantial efforts to modify current policy as well as ultimately to eliminate these weapons . . . it is necessary to develop means of defending peoples that do not depend upon the threat of annihilation. . .[38]

Domestic Politics and Technical Feasibility: An Important Digression

Two key issues in the consideration of any strategic shift from nuclear offense toward nonnuclear defensive emphasis are domestic politics and technical feasibility. Clearly, even if the moral imperatives behind such a transition were exceedingly great, all of the praying and Presidential leadership in the world would not suffice to compensate a stark absence of public support for a transition policy and implementing program, or a similar lack of technological basis for converting the ideas into reality. How compatible with public opinion would this type of strategic transition be, and are the advanced technologies emerging under active development for realizing it?

Most Americans would not understand the strategic rationality that traditionally labels BMD as "bad" because it tends to be destabilizing, in both the sense of crisis and arms-race instabilities. When Walter Clemens took his survey of well-informed Americans on whether the U.S. operates systems capable of shooting down a large fraction of incoming Soviet warheads, the overwhelming response (90% of those polled in 1980) was that U.S. defenses could shoot down 200–900 of 1000 incoming "missiles."[39] Indeed, thinking back to Huntington's vivid description of how the generic IvI gap drives American politics and to Hoffer's scathing attack on intellectuals wielding dangerous words, Clemens' results indicate that the vast majority of Americans would gladly trade nuclear deterrence—based on fundamentally immoral nuclear threats to take the lives of innocent noncombatants—for a new scheme of non-nuclear defensive emphasis, as long as deterrence could be sustained *during* this transition. That crucial caveat, of course, is part of the "getting from here to there" problem which most Americans would care less about than the "there" we are aiming for. By and large, Americans will care more about the stability of a non-nuclear endpoint than the possible transition instabilities along the way.

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[38] "God's Hope in a Time of Fear," first draft, pastoral letter on war and peace, June 11, 1982.

[39] Walter C. Clemens, Jr., "A Quiz for a Peaceful Sunday," *Los Angeles Times,* March 22, 1981, p. V-5; also see his *National Security and U.S.-Soviet Relations,* Stanley Foundation, Occasional Paper No. 26, October 1981. Clemens reports that men and women in a blue-collar district near Boston were even more hopeful than the university students, journalists, and stockbrokers he interviewed. Moreover, of the 10% who did know that no missiles could be shot down, 93% did *not* know why. So much for valid American public support for the substance of the ABM Treaty of 1972, the sole remaining product of the SALT process!

To the degree that the nuclear-related IvI gap is motivating the anti-nuclear movement in the United States, popular opposition to the protracted nuclear warfighting policies and postures in Option 3 may grow sharply during the next several years. This opposition will continue to be fueled by like-minded activities sponsored by the European nuclear disarmament (END) movement, and by domestic groups (of which there are many) bound together by their shared distaste for the MX land-based missile system.[40] To the extent that public opposition to MX continues to deepen and spread, popular attitudes toward BMD systems that are tightly linked with the ultimate fate of MX may be less than friendly, to say the least. This is especially true if the case for BMD to protect MX/CSB cannot be made cleanly, clearly, and persuasively—as implied by the argument that deterrence-enhancing uncertainty contributions from this type of BMD system may be marginal rather than central. (These contributions are quite intangible—they are hard to get handles on, even for some of the most capable analysts.) When the strategic "experts" have trouble deciding if such a BMD system is worth the expense (and the politico-military risks of modifying the ABM Treaty), hopes for "educating" the American public about esoteric requirements for BMD increments to enhance deterrence are likely to founder on the shoals of intellectual complexity and rhetorical opacity, absent compelling moral reasons for BMD.

On the other hand, a straightforward pitch to sell BMD to the American public as perhaps the most attractive approach for getting out of the nuclear trap (in the long run)—for protecting lives and productive property, which is what national self-defense is all about, rather than enhancing bluff-centered deterrence by protecting strategic hardware such as MX/CSB—could prove to be highly successful. And, for the same sort of reasons that more than a few traditionalists in the arms-control community continue to embrace minimum deterrence (Option 0) even though its moral value is extraordinarily low, the American public would tend to see Option 4 as an excellent compromise between modern strategic rationality and moral consistency with Judeo-Christian roots as reflected in American civil religion—hence, as having special attractions for a nation, under God, which continues to have a self-image of exceptionalism and moral superiority—the "city on the hill," to which President Reagan so often referred.[41]

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[40] Behind much of rationale for MX, of course, lies the quasi-theological sanctity of the U.S. strategic Triad. Perhaps the most candid articulation of this concept of strategic "sacredness" occurred when Sy Zeiberg, in his MX speech at the 1978 AIAA Strategic Systems Conference in Monterey, stated that it is "psychologically unbearable" to consider any departure from the Triad. It goes without saying that neither the American Creed nor Civil religion says anything about whether the strategic Triad must remain unaltered until the end of time, and most religious leaders (including the Mormon Church) have opposed MX. This anecdote suggests that strategic "rationality" often tries to propagate its own brand of quasi-theological dogma, often in open conflict with ACR.

[41] See Colin S. Gray, "National Style in Strategy," *International Security,* Fall 1981, p. 29.

Turning to the problem of technological feasibility, there is little doubt that *if* the U.S. sets its collective mind to the task and establishes the proper national priorities so that human, financial, and material resources could be efficiently applied, by the year 2000 (if not somewhat earlier) the U.S. could create an effective kind of space superiority. A bold space posture could contain long-range non-nuclear counterforce capabilities using small, stealthy, and refuelable space-based laser weapons[42] with credibly effective BMD and air-superiority competence in all but the most unlimited nuclear attacks, as well as space-based and endo-atmospheric missile systems for carrying out non-nuclear offensive attacks against hard and soft military targets. This type of space force would reduce the strategic pressures for using nuclear weapons as (barely moral and probably destabilizing) counterforce capabilities. Once the Soviet leadership developed an understanding that our modern non-nuclear weapons could literally take out the men's room in the Kremlin, let alone critical C^3I and space-launch nodes, the essential nature and balance of strategic power will change in directions advantageous to the United States.

Briefly, the U.S. currently holds a 5-10 year lead across the board in advanced space technologies. Plans to increase spending on military space activities at (real!) annual rates of 15-20% will sustain the sharp upward swing of the increasingly military U.S. space program. After some early firsts (and first impressions should never be taken at face value), the Soviet space program failed to match the pace and technological progress of the U.S. program during the first quarter-century of the space age. The U.S. demonstrated much greater staying power after the initial shock and frustration of Sputnik I 25 years ago (4 October 1957) provided the prime catalyst for military space activities.[43] If accelerated (and fenced) programs of high national priority were started with the bold but highly plausible goal of building *second-generation* SBLs by the year 2000 which have moderately robust BMD capabilities, there are no technical "show-stopper" reasons why this project could not be eminently successful.

Indeed, the key problem may be to develop a sufficiently powerful consensus *within* the U.S. government (as the previous discussion showed, the American public would tend to back this program without many second thoughts) regarding a shift from nuclear offense toward

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[42] See generally Barry J. Smernoff, "The Strategic Value of Space-Based Laser Weapons," *Air University Review,* March-April 1982, and James Canan, *War in Space* (New York: Harper & Row, 1982). The latter quotes Lt. Gen. Kelly Burke, former Deputy Chief of Staff (Air Force) for Research, Development and Acquisition, as stating that space weapons "have a transcendental flavor, a little like gunpowder. We ignore them at our peril." (p. 179)

[43] See Barry J. Smernoff, "A Bold Two-Track Strategy for Space: Entering the Second Quarter-Century," prepared for the Ninth National Security Affairs Conference, National Defense University, 8–9 October 1982.

non-nuclear defensive emphasis as being very much in the national interest over the long haul. Another political problem, but at the international level, would be to ensure that arms-control diplomacy was operative and in good working order to constrain SOF levels while the new defensive systems were a-building. Successful negotiation of deep cuts in START would, in itself, demonstrate the power and effectiveness of arms-control diplomacy for suppressing what otherwise could become a pernicious offense/defense arms race (which would have negative moral implications) under the pressure of American (and with some lag, Soviet) programs to facilitate a strategic transition toward non-nuclear defensive emphasis.

The strategic vision of a technologically dynamic America seizing the ultimate high frontier (and high ground) of outer space to acquire clear-cut space superiority, thereby providing unambiguous politico-military advantage to the United States, has captured the minds of many in recent years.[44] Especially as Americans bask in the national glow of the first four (developmental) space shuttle missions during 1981-82, it is hard to dispute the increasingly prevalent view that, as the world's preeminent spacefaring nation, the U.S. must exploit its inherent technical and political advantages relating to space to achieve a clear and durable position of space superiority—*unilaterally,* without attempting to use or be responsive to diplomatic or other kinds of cooperative "crutches."

From the strategic nuclear perspective, however, the basic catch is that we are living in an "obligatory age of arms control." While the U.S. might succeed in achieving some form of durable space superiority by building capabilities for severely limiting Soviet use of and access to space (i.e., powerful and robust ASAT, counter-ASAT, and counter-launch vehicle systems), the only reliable means for *securing*[45] the Nation from large-scale Soviet nuclear threats would involve deep cuts in the levels of SOF at the same time nonnuclear defenses are built and deployed. Furthermore, as Albert Carnesale has noted, one of the basic facts of international life is that any prospective BMD future will be two-sided (if not multilateral) in nature:

> Choices must be made among realistic alternatives. A world in which the United States has strategically important BMD deployments, while the Soviet Union does not, is attractive to Americans, but in all likelihood is unattainable. Conversely, a world in which the Soviet Union has important BMD deployments, while the United States does not, is unac-

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[44] See especially Lt. Col. Dino A. Lorenzini and Major Charles L. Fox, "2001: A U.S. Space Force," Naval War College Review, March-April 1981, and *High Frontier: A New National Strategy,* coordinated by Lt. Gen. Danile O. Graham, 1982.

[45] The word "secure" is derived from the Latin root *securus* meaning "free from care." Under present circumstances, it is hard to imagine how the U.S. could ever become truly *free* from caring about the Soviet nuclear threat, unless massive doses of deep-cut arms-control and major defensive deployments can virtually remove this threat with high confidence.

ceptable to Americans. In real life, either both nations will have significant BMD deployments or neither nation will have them.[46]

Consequently, just as the ABM Treaty of 1972 embodies what Carnesale calls a "joint Soviet-American selection of the world in which neither side has a meaningful defense," a future U.S.-Soviet strategic choice of a world in which defensive weapons play a much more significant (and possibly dominant) role will be *jointly* made, formal arms control or not. This is not to say that the U.S. option for achieving unilateral space superiority could not, and should not, be employed as tactical bargaining leverage for pursuing arms-control objectives—especially with the goal of restructuring the strategic competition so that nonnuclear defensive emphasis becomes a *common* goal, even if it must be facilitated through more competition than cooperation. The key point is that long-term national interests tend to dictate that unilateral space superiority will not enhance American security more than a vigorous "two-track" approach for exploiting technical opportunities in space which accommodates a significant role for arms control and other (perhaps informal) cooperative measures. If the prospects for (*any* forms of) arms control become even bleaker than they currently are, however, the stage would be set for unilateral pursuit of space superiority that would serve the nation well if an unremitting, all-out, arms competition with the USSR becomes inevitable.

Recapitulation and Concluding Remarks

Every so often, the story of the emperor who has no clothes—where only *he* appears oblivious to that embarrassing fact, so obvious to the youngest and most timid observers—provides a useful way of seeing things from fresh perspectives. This article has described how two classes of strategic approaches to the central problem of preventing nuclear war can be viewed in the moral frame of reference flowing from a combination of just-war tradition and American civil religion. Within the setting of this exploratory moral analysis, the basic strategic options (ranging from minimum deterrence, through several types of nuclear warfighting concepts, to a novel idea of non-nuclear defensive emphasis) were assessed and placed on a 2-dimensional space representing the strategic rationality and moral quality of these competing options. To facilitate understanding, the options were grouped into two curvilinear sets with time as the independent parameter. One curve returns back to the low level of morality characterizing the advent of the nuclear age during August 1945, while the other reaches beyond the historical trend toward the fourth option of non-nuclear defensive emphasis (and nuclear deemphasis).

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[46] Albert Carnesale, "Ballistic Missile Defense: Updating the Debate," in *U.S. Arms Control Objectives and the Implications for Ballistic Missile Defense,* proceedings of a symposium held at the Center for Science and International Affairs, Harvard University, November 1-2, 1979, p. 28.

This article should provide enough background in the contemporary moral thinking that swirls nuclear deterrence to permit independent value judgments about these (and other) strategic options, under various assumptions about the role of arms control. Several conclusions can be drawn from the foregoing assessment. First, if Huntington's ideas are correct about the crucial relevance of the IvI gap to the dynamics of American politics, then Curve A sweeping through Options 1, 2, & 3 represents an ahistorical progression that takes the U.S. toward ever-higher levels of strategic rationality, but ever-lower levels of moral quality. Assuming that this general contour is more or less accurate, the obvious issue is posed: what are the domestic political implications of traveling on a moral/strategic trajectory which might carry us back toward the ethical low-point after Hiroshima/Nagasaki, even though it *might* also fend off the specter of nuclear war by enhancing the credibility of nuclear deterrence (but might not, given Soviet apprehensions about American first-strike counterforce developments)? The nuclear-related IvI gap that movement along this contour is creating even now (witness the burgeoning U.S. antinuclear movement) may worsen measurably during the 1980s and beyond unless we can find a different path, in the spirit of Fred Iklé's charge given in *Foreign Affairs* nearly ten years ago:

> While luck has been with us so far, strategic thinking must and can find a new path into the twenty-first century.[47]

If such a new strategic path is pursued, there is no doubt that plenty of transition problems and potential instabilities will keep numerous strategic analysts busy well into the next century. The fundamental message of this article is that we may indeed be turning onto a morally deviant and ahistorical strategic path, but that other paths are possible and probably much more compatible with *both* U.S. security needs and American values. In the true American spirit of manifest destiny and unique historical mission, perhaps it will be our fate to take the first bold steps up Curve B toward non-nuclear defensive emphasis, and away from the nuclear MADness of the present which an increasing number of Americans finds so morally intolerable. At the same time however, we must never lose sight of the need to sustain the credibility of nuclear deterrence, as long as that is the only real-world mechanism that will credibly (?) deter Soviet nuclear attacks on the United States.

Hence the burning moral dilemma: we are obligated to provide for national self-defense according to *jus ad bellum* tradition and nuclear deterrence is the only apparent means for doing so. *Yet we are equally*

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[47] Fred Charles Iklé, "Can Nuclear Deterrence Last Out the Century?" *Foreign Affairs*, January 1973, p. 285.

obligated to begin moving away from nuclear deterrence since it is so abhorrent in *jus in bello* and moral terms. Each of these moral duties involves considerable, if not wholly unprecedented, life-and-death issues, so that no single obligation can be judged of higher significance at the expense of the other. Just as the American political process has dealt with many policy issues where conflicting values played an important role, it will deal with the terrible moral paradox of nuclear deterrence—hopefully in a manner that finds a workable balance between the mid-term necessity of deterrence and the long-range obligation to move beyond it.

In this connection, it is useful to look into the recent past for guidance. To celebrate its centennial, the Association of the Bar of the City of New York (founded in 1870) organized a symposium chaired by Eugene Rostow, currently the director of the U.S. Arms Control and Disarmament Agency, around the impressive theme, "Is Law Dead?" Since it convened during the height of what Sam Huntington calls the fourth Ivl-gap period of "creedal passion," it is not surprising that Rostow introduces the symposium proceedings as follows:

> Five turbulent upheavals are occurring simultaneously. Each by itself could well require the best efforts of a generation; their confluence strains the sinews of society. . . .
>
> The third is the renewal of doubt about the foreign policy the nation has followed since 1945. That policy has imposed burdens unfamiliar to our history—thirty years of conscription, a succession of costly military campaigns, the prospect of apparently endless crisis ahead. We are living through another intense round of the debate we have pursued at intervals since President Wilson urged his countrymen to ratify the Covenant of the League of Nations, fifty years ago. This round of the debate, like its predecessors, has sharply divided the country. It is given a special quality of urgency by the anguish of Vietnam, the condition of international politics, and the shadow of the nuclear weapon.[48]

In January 1973, the Supreme Court demonstrated that law was *not* dead by trying to legislate morality (in a judicial setting) with its landmark *Roe v. Wade* decision, made several months after the ABM Treaty entered into force. This decision effectively created a new fundamental right to abortion on demand by making unconstitutional any state laws that would ban abortion. Since then, *Time* magazine described the prolife movement as "perhaps the most powerful single-issue force in American politics" with an estimated ten million followers.

Why did abortion emerge during the 1970's as one of the most significant civil-rights issues of the 1980's? After the *Roe v. Wade* decision, abortion became the most frequently performed operation in the United

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[48] *Is Law Dead?,* edited by Eugene V. Rostow (New York: Simon and Schuster, 1971), pp. 11-12.

States; in 1980, 30% of pregnancies were terminated by abortion. Indeed, most graduating medical students do not take the Hippocratic Oath, which states in part:

> I will give no deadly drug to any though it be asked of me, nor will I counsel such, and especially I will not aid a woman to procure an abortion.

What seemed to some as an "abortion epidemic" suggested that the basic ethic of respect for life was being severely undermined, independently of the controversy about whether human life really begins at conception. However, it seems that at the heart of the burgeoning debate over abortion is a legal question, *not* a moral one.

> If the general practice of abortion is to be abhorred, and we believe that it is, it does not necessarily follow that it should be totally prohibited by law. Even if they may help to explain why abortion should be restricted by law, medical, moral, or theological perspectives do not adequately explain to what extent, and by what means. These are matters of law and legal policy. . . .
>
> We believe that public policy on fundamental, controversial questions affecting the whole of society (such as the legality of abortion) should be established by the people or by the elected representatives of the people . . . we believe that it was improper for the Supreme Court to establish a substantive, detailed right to abortion when it decided *Roe v. Wade* and *Doe v. Bolton.* That was a political (legislative) act, not a judicial responsibility. . . .
>
> We believe that one of the most important functions of the law, especially in this area, is to reflect the *moral order* of society . . . in a democracy, a law that disregards what most members of society at the time consider to be compelling moral dilemmas is a *bad law* . . . the substantive rule of law established in *Roe v. Wade,* the right to abortion (essentially on demand), is *bad law* because it takes a position that refuses to acknowledge in law the *profound moral dilemmas that trouble most Americans.*[49] (Emphasis added)

Given this background, it is not surprising that Mother Teresa accepted the 1979 Nobel Peace Prize with the following powerful statement:

> . . . I feel the greatest destroyer of peace today is abortion, because it is direct war, a direct killing, direct murder by the mother herself. . . Because if a mother can kill her own child, what is life for me to kill you and you to kill me? There is nothing between.[50]

The moral proximity of abortion and nuclear deterrence, American style, certainly is a factor worth reckoning as we learn to identify and deal with the policy implications of these (and other) life-and-death issues. In both, of course, the moral perspective plays a central role, as it should in

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[49] Lynn D. Wardle and Mary Anne Q. Wood, *A Lawyer Looks at Abortion* (Provo, Utah: Brigham Young University Press, 1982), pp. 205–8. The second author served under Secretary of Defense Weinberger as a White House fellow.

[50] Cited by John J. O'Connor, *In Defense of Life* (Boston: Daughters of St. Paul, 1981), p. 127.

a society with strong (civil) religious roots. Modern technology *calls out* for strengthening of the moral order.[51]

It is appropriate to close with a line from the famous address ("War never again!") of Pope Paul VI before the United Nations in 1965 which is often mistranslated (from the original French) as, "You cannot love with weapons in your hands"—

> On ne pas aimer avec des armes *offensives* dans les mains.[52] (Emphasis added)

The moral implications for strategic policy and the future role of truly *defensive* weapons are reasonably clear. Drawing sharp moral distinctions between offense and defense, between offensive and defensive uses of all types of weapons, is not only a theoretical possibility but a practical obligation:

> And above all, it would forbid purely strategic offensive weapons, such as intercontinental missiles and missile-carrying submarines, for which no genuinely defensive mission is conceivable.[53]

[51] Hans Jonas, "Technology and Responsibility: Reflections on the New Task of Ethics," *Social Research,* Spring 1973.

[52] *Ibid.*, p. 44.

[53] Freeman Dyson, *Disturbing the Universe* (New York: Harper & Row, 1979), p. 144. See especially his chapters, "Peacemaking" and "The Ethics of Defense."

A Search for Peace

Chaplain (MAJ) Daniel J. Donahue

Signs of the Times

The sign hung on one of those old galvanized fences on the corner of a busy intersection. Across the street was a church graveyard. The sign read: "Witness for peace, 1st and 3rd Sunday, 12 to 1 pm. JOIN US." Occasionally, I would see them, a small group of no more than thirty, carrying signs. "NO MORE WARS!" "NUCLEAR WAR IS THE END OF ALL!" "ONLY YOU CAN STOP WAR!" The group appeared to be neither rich nor poor, young nor old, wise nor innocent. A few had beards or long hair. It was a quiet group. Their one characteristic trait was sadness, sadness reflected as they stared blankly at the passing cars; sadness from being ignored; sadness from being considered "crackpots." I began to wonder what chance this new movement, gaining such popular support in other countries, had of bringing peace to the human race. Could the rise of a truly populist movement bring us from the precipice that looks over into a nuclear hell? Maybe history could hint at the answer.

A Complex Subject

The study of man's movement toward peace involves certain difficulties that are traceable to the meaning of pacifism in different ages. We are

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confronted with a complex subject matter, an ever increasing number of solutions to the problem of war, none of which have yielded much fruit. We have had the religious and philosophical thought of the sixteenth and seventeenth century, the move towards settlement of disputes by the use of international organizations, and the "Wars to end Wars." Some pacifists say we can legislate peace into existence; others believe we can organize it into the fabric of society; and still others say we must fight for it with the force of arms.
The only sure truth is that we are still in a stage of fumbling uncertainly for the surest way to peace.

Ideological Issue

At the heart of the matter is the widespread tendency for the movement towards peace to be treated as an ideological issue. It arouses great emotion, but fails to find a reasonable way to achieve its goal. For many the peace movement is an issue of faith, based on the Great Commandment; for others it is a great crusade; and for still others it is the crucial test as to whether or not one is a decent human being. "Hawks" see pacifists, or members of any peace movement, as a threat to national security and a cry for surrender. This ideological dichotomy does not provide the most favorable ground for reasonable solutions to the problem of war. The very posing of the question of being "for or against" the horror of nuclear war creates huge gaps in our ability to approach a balanced view.

Body Politic

However, we shall have a starting point when we no longer find it necessary to ask one another, "Do you want peace?" The point is, that we all want peace, but one part of the "body politic" says, "This is the way to peace," while another says, "No! Here is the way to achieve lasting peace." What we need is not to gather supporters to either side, but to begin to work together for a realistic approach to peace that will be successful. We must begin a process wherein everyone expects to suffer some loss of their idealistic plan and whereby everyone expects to win the final victory; the peace we all desire.

Our Turn

The development of this view depends upon the understanding of the history of man's move towards peace. What is needed is not just a knowledge of the historical facts, but also a feeling of the continuity of our actions with those of the past. It is now our turn to weave on the loom of peace and to produce the long sought-after garment that will cover the earth. There is a sense of urgency to our weaving, for our potential for disaster is greater than ever before. The desire to achieve peace must overtake the arms race and bring it under control. Public opinion must

reach the point where no nation, large or small, would ever resort to nuclear weapons for fear that world-wide disgrace would result. The desire for peace must not just be the aspirations of idealists standing on street corners, but the will of people everywhere who have the power to make that choice. We must come to recognize this new desire for peace, not just as a distinctive aspect of a group standing on a corner, or group of nations, but as the will of all peoples on earth to preserve the earth. The recent phenomenon of peace as a popular movement has taken the search for peace out of the heads of intellectuals, out of the hands of scientists, out of the structure of international organizations, out of the might of the military, and placed it where it rightly belongs; in the minds and hearts of the people who are most affected by its absence. To organize for peace is no longer the question; it is fast becoming a way of life as peace marchers increase, and peace votes are taken from Rumania to the Netherlands, from Vermont to California. The people want peace and are willing to make an issue of their right to change the policies that they believe threaten that goal.

However, desire alone will not bring peace; it must be coupled with a knowledge of events that have brought us to this point in history. The military cannot reduce its powerful storehouse of nuclear weapons without direction from the government. The power of the military in this country is, and always has been, limited by the wisdom of our founding fathers who placed it under civilian control. The civilian operators of the military and the designers of our foreign policy are in turn limited by events that have been a long time in the making. The questions the people, the military, and the government must answer are: How do we intercept these events that are leading to nuclear war? How do we turn the course of history? How can we, safely, with all our freedom intact, step back from the brink of disaster? Equipped with these questions, one is challenged not with deciding who is right, but with the necessity of recognizing that we are all, the people, the military, and the government, sincere in our desire for peace. The issues to be decided by all are: By what means is peace to be achieved; in what direction shall we go; and whom shall we empower to make this analysis? The "us and them" must be discarded in favor of the constitutional "we." We who have the determination and willingness must speak to each other about our most vital concern, peace.

The Philosophers

There are those who say the peace movement as we know it today can only be traced back to the end of the Napoleonic Wars. Not so! I believe that the thoughts of men like Erasmus, Cruce, Montesquieu, Hobbes, Locke, Rousseau, Kant, and Thomas Paine were the beginning of modern man's search for peace. It was their thoughts, tested by time and flawed by failure, that led others to seek stronger and more positive action for peace.

Erasmus

Erasmus, who lived in the beginning of the sixteenth century, made his attack on war more emotional than reasoned. "There is nothing more wicked," he wrote, "more disastrous, more widely destructive, more deeply tenacious, more loathsome, in a word more unworthy of man, not to say Christian."[1] He believed war was unnatural: "Whoever heard of a hundred thousand animals rushing together to butcher each other as men do everywhere?"[2] Erasmus, far ahead of his time, did not believe even in just war, a concept that is only now being seriously challenged by Christian churches. He wrote: "If a claim to possession is to be reckoned sufficient reason for going to war, then in such a disturbed state of human affairs, so full of change, there is no one who does not possess such a claim. What people has not, at one time or another, been driven out of its lands, or driven others out? If you find by balancing one set of advantages and disadvantages with another, that an unjust peace is preferable to a just war, why do you want to try the fortunes of Mars."[3] Since it is true that we as a nation drove the "original Americans" from their land, Erasmus would favor those today who hold an unjust peace is better than a just nuclear war. In fact, he would say we are only receiving our just deserts. The argument of Erasmus against the just war theory is as relevant and debatable today, as it was in his own time. Yet, it must be noted as we begin this journey on the trail of peace, that Erasmus didn't change the course of history, nor did he have any effect on stopping wars in his own day. The prevalent idea of his day, that force could be used in the defense of Christendom, was in fact changing to one that is still believed today, that war is necessary to preserve order in a system of nation states. For the next two hundred years, there was no popular movement towards peace. War was seen as a means of solving problems between states.

Thomas More

Since men believed that war could not be eliminated, they began to think about legislating humane ways in which it could be waged. Thomas More wrote that his Utopians "hate and detest war as a thing manifestly brutal. . . Against the usage of almost all other nations they consider nothing so glorious as the glory won in war."[4] He wanted his Utopians to fight as cunningly as possible so war could be quickly ended. He believed in the just war theory, and allowed his Utopians to fight to protect their territory or that of friends, to help people under tyrannous oppression,

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[1] Desiderius Erasmus, "Dulce Bellum Inexpertis" in M. M. Phillips, ed., *Erasmus and His Times.* (Cambridge 1967) p. 107.

[2] *Ibid.* p. 112.

[3] *Ibid.* p. 137.

[4] St. Thomas More, *Complete Works,* ed. Edward Surtz and J. H. Hexter. (Yale University Press 1965) vol. IV, pp. 201ff.

to avenge injuries and even to possess land left idle and uncultivated, when it could be used to support others. More, I believe, would readily agree that all the American wars of this century were just wars, and would have probably encouraged us to save the Cambodians from their recent bout with genocide.

Grotius and Crucé

Peace lovers of the sixteenth and seventeenth century felt that the best they could do was reduce some of the harsh brutality of war. Hugo Grotius in his *De Jure Belli ac Pacis* (1625) spoke out strongly against war as did the French monk Emeric Crucé. Crucé even proposed a United Nations Assembly to settle international differences by compulsory arbitration. Like Erasmus, he did not believe there could ever be a just cause for war. This, of course, was long before man acquired nuclear weapons. Crucé wrote: "We must abandon these barbaric habits and show mankind the way of humanity and true honor that they may cease to live in so brutal a fashion."[5] Grotius on the other hand believed that the way to a lasting peace was to encourage free trade, peaceful occupations, and the employment of the warrior class to fight piracy. Although Grotius did not prevent either a just or an unjust war, he did open the way for exploring the structure of nation states as the causes of war.

Montesquieu

In the eighteenth century, political thinkers took it for granted that the causes for war were due to the anarchy of nation states. Montesquieu in his *L'Esprit des Lois,* (1750) stated that war was unnatural, since man in a state of nature was too timid to make war. Man, he said, was the most defenseless of all the animals. But "as soon as man enters a state of society he loses the sense of his own weakness; equality ceases, and then commences the state of war. Each particular society begins to feel its strength whence arises a state of war between different nations."[6] The solution to war would then be to abandon the state system and return to our natural state.

Hobbes

Hobbes on the other hand believed that natural man lived in a state of war. Only by joining together could they hope to avoid war. If one planted, sowed, or built a house, someone stronger could come and take not only his possessions but his life as well. When men live without a

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[5] Edmond Silbener, *La guere dans la pensu ecomique du XVI au XVIII siecles* (Paris 1939) p. 128.

[6] de Montesquieu, *The Spirit of the Laws,* trsl. T. Nugent (New York 1949) I.2. p.5.

common power they are constantly at war; it's every man for himself. The only way to avoid this state of war in nature, according to Hobbes, is for individuals "to confer all their power and strength upon one man or upon one assembly of men, that may reduce all their Wills, by plurality of voices, unto one Will."[7] Only then we will have peace, when one man or one assembly is so strong that all our enemies are rendered helpless. This is true today, as both large and small states try desperately to outdo each other in armament, so as to deter aggression and maintain peace. Hobbes wrote: "One person, of whose Acts a great Multitude by mutual Covenants one with another, have made themselves every one the Author, to the end he may use the strength and means of them all, as he shall think expedient, for their Peace and Common Defence."[8] In Hobbes' view then, all power is given to the sovereign and no one has the right to dissent. It is up to the sovereign to judge what is best and what is worst for his citizens and what is necessary to maintain the peace, even if that means going to war. Such a mind-set is not unheard of even amongst recent American presidents. However, the citizens of this country do not believe the sovereign is above their power, and they punish him when they perceive that he has misused his power.

John Locke

John Locke agrees with Hobbes that man enters a commonwealth, because he is always in fear of losing everything he owns to someone stronger. However, Locke said that man entered into society only to improve his condition, not to worsen it, so all the power given to the commonwealth must be used only for peace, safety, and the public good of the people. "It is not, nor can possibly be, absolutely arbitrary over the lives and fortunes of the people. . . For nobody can transfer to another more power than he has in himself, and nobody has an absolute arbitrary power over himself, or over any other, to destroy his own life, or take away the life or property of another."[9] So unlike Hobbes, Locke limits the power of government when that power is used in an absolute manner to make men's lives worse than they were in the state of nature. It must be used, he said "to preserve their lives, liberties, and fortunes, and by stated rules of rights and property to secure their peace and quiet."[10] When that trust is broken, as it was by a recent president, power returns to the people who gave it, and they may again bestow it on those whom they think will best provide for their safety and security. According to Locke then, if the people want peace, and their government is pursuing a course of action that the majority believe will lead to war, the people

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[7] Alan Gewirth, *Political Philosophy* (The Macmillan Company, 1965) p. 39.
[8] *Ibid* p 39.
[9] *Ibid* p 56.
[10] *Ibid* p 57.

have the right to change that government to one that will meet their needs. In the Second World War 79% of all Americans were in favor of the government's position. In the Korean conflict only 29% of the people were in favor of the government's position. This same percentage fell to 10% in the Vietnam war. We continued those conflicts, even though it appears to have been the will of the government rather than the will of the people that we did so.

Rousseau

Jean-Jacques Rousseau spoke clearly of the importance of the will of the people in his writings on the Social Contract. "Each of us puts his person and all his power in common under the supreme direction of the general will, and, in our corporate capacity, we receive each member as an indivisible part of the whole."[11] He goes on to say that this act creates a moral and collective body and those in the body take collectively the name of people. They are called secondly citizens, because they share in the power of the sovereign. Finally, they are called subjects, as being under the laws of the State. These terms can cause confusion, as Rousseau distinguishes natural liberty, which man loses by the Social Contract, and civil liberty, by which he gains the ownership of all he possesses. Rousseau believed, as Montesquieu, that man in the state of nature was peace loving, but when he joined the social contract he not only became a citizen but a soldier as well. "All have indeed to fight, when their country needs them; but then no one has ever to fight for himself."[12] He did not believe that the solution to war rested with any institution, organization, church, or world government. Although he knew it wasn't possible, he would seem to agree with Montesquieu; war was the result of man entering a social contract and could only be avoided by abandoning that contract.

Kant

Immanuel Kant believed that if citizens were to decide whether there should be war, there would be fewer wars than when the power to make war was in the hands of the sovereign. He did not feel that any war was justifiable and held that the search for peace was man's highest goal. He believed that "the general and continuous establishment of peace constitutes not only a part, but the entire end and purpose of a theory of rights within the limits of pure reason."[13]

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[11] *Ibid* p 64.

[12] *Ibid* p 73.

[13] Immanuel Kant, *Perpetual Peace: A Philosophical Proposal,* (Grotius Society Publication No. 7, 1927) p. 25.

Marx

Karl Marx's vision of peace is still in the making; unfortunately, his dream of peace is now threatening the world with destruction. We fear Russia, the home of communism, and they fear us, the home of capitalism. Marx felt the only way to peace was for the proletariat everywhere to wrest by all means possible all capital from the bourgeoisie, to place all industry in the hands of the state, to raise the proletariat to the position of the ruling class, and to establish democracy. Having done away with the conditions for class antagonisms by doing away with classes, peace would prevail. Democracy is a long way off for any communist country, and we all know the struggle of the proletariat is still going on in many other countries. There must be more wars of revolution and much evolution before communism can deliver its promise of peace. This is not to dismiss Marx lightly, as his ideas are still the driving force that inspire the disenfranchised in today's world.

Paine

Thomas Paine brought all these ideas together and explained them in ordinary language, and encouraged the ordinary man to commit his life to their fulfillment. He awakened once again man's desire to be free, and held out the hope that, once free to arrange their own destiny, their destiny would always be peace. He spoke out harshly against the use of slavery in this country and blamed the English for ravaging the African continent in this barbaric traffic. He wrote: "When I reflect on these, I hesitate not for a moment to believe the Almighty will finally separate American from Britain. Call it Independence or what you will, if it is the cause of God and humanity it will go on."[14] His pamphlet, *Common Sense,* sold almost immediately a half a million copies. It set the ordinary person to thinking how good it would be to be free and to establish America as a haven of refuge for those seeking this same freedom. He, like Crucé, was also one of the first to advocate an international organization to outlaw war and, in the *Rights of Man,* to outline a program for peaceful and harmonious relations among nations. Paine was a Deist and incurred the wrath of the clergy in the publication of *The Age of Reason;* otherwise, his ideas on peace and harmonious relations between states might have had a far greater effect on the future. He had a vision that all of Europe might form one great republic, which would end the spirit of jealousy and hatred that lead to war. Peace, he said, "would bring prosperity and relief from the burden of taxes every nation levies to support war."[15] He took it for granted that an alliance would be formed between England, France, and America so that their fleets and arms would no

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[14] Thomas Paine, *The Rights of Man* (Citadel Press, Secaucus, N.J. 1974) p. 201
[15] *Ibid* p. 201

longer be needed. He proposed disarmament, ship for ship, on each side. "But to accomplish these objects, the governments must necessarily be fitted to a common correspondent principle. Confidence can never take place while a hostile disposition remains in either, or where mystery and secrecy on one side is opposed to candor and openness on the other."[16] If the world had listened we would be far better off today; instead, two hundred years later, and it is not ships we are talking about but nuclear bombs. We now aspire, not their reduction, but only to an equal force level. What would Thomas Paine write today?

Economists

Now, at the beginning of the 19th century, war was considered an obstacle to wealth and prosperity. A new breed of economists rose to the challenge of displacing war with peace, as the natural state of nations. Adam Smith in his *Wealth of Nations* advocated free trade as the solution to war; man's basic desire for wealth would, if left unrestrained, secure the peace of the world. John Stuart Mill said: "It is commerce which is rapidly rendering war obsolete, by strengthening and multiplying the personal interests which act in natural opposition to it."[17] Men like Jeremy Bentham, John McCulloch, James Mill, and Frederic Bartrat summed up the new optimism for peace in advocating an economic solution to end war. They felt that people would not fight wars if it were not in their economic interest to do so.

Quakers

The Society of Friends, founded by George Fox in England, was totally dedicated to absolute pacifism. The first Peace Society was founded in London in 1816 by a Quaker, William Allen, and a second was simultaneously started in America. They advocated that all disputes should be settled by a Congress of Nations, and claimed that public opinion would enforce their decisions. Peace congresses began to meet annually in different European cities but hopes were dashed by the outbreak of the Crimean War in 1854.

Cobden

Richard Cobden was to revive the peace movement by reviving the ideas of Thomas Paine. He wrote: "The standing armies and navies—whilst they cannot possibly protect our commerce, while they add by the in-

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[16] *Ibid* p. 223

[17] J. S. Mill, "Principle of Political Economy" (London 1848) p. 582, Cited in Michael Howard, *War and the Liberal Conscience.* (Rutgers University Press, New Brunswick, N.J. 1978) p. 37.

crease of taxation to the cost of our manufacturers, and thus augment the difficulty of achieving the victory of 'cheapness'—tend to deter rather than attract customers."[18] The more men trade, he believed, the less they would make war. Sadly though, the rise of the peace movement was curtailed by a new spirit of nationalism reflected in the Crimean War. Men found in their nation a cause they were willing to sacrifice and even to die for, just as they do today in the British and Argentine dispute over the Falkland Islands. The trail to peace and freedom, they argued, could be achieved only through the creation of nations for which men must fight.

Napoleon

The hopes of the peace movement were again set back, when after the French Revolution, Napoleon, with the popular support of the citizenry, set out to export revolution to all of Europe. The bloody wars that followed were the worst of the century. Democracy proved as incapable as monarchy in keeping the peace.

Philosophical thinking, bloody revolution and the will of the people failed to produce peace, but each added to our knowledge of where it is not and set the stage for the next discovery.

International Organizations

International organizations were created to reduce the friction that can be caused by contacts between states and to smooth the way for commerce and intellectual exchange. These organizations, it was hoped, would increase the interdependence between nations, and reduce the causes of war. There was a new interest in peace, because war had become a problem, which disrupted industrialization and the growth of capitalism. It was now hoped, the international organizations, diplomacy, regionalism, balance of power, and collective security would so increase the interdependence of nations, that war would be unthinkable.

The Concert of Europe

The Concert of Europe was the first of these efforts to achieve peace through international organizations. It took place in Vienna in 1815, and was the forerunner of a series of conferences to bring together the nations of Europe. Although it could hardly be called successful, it did mark the beginning of diplomacy. The major nations of Europe met thirty times from 1815 to 1906, but only to protect their own interest, expand their dominance, and increase their wealth. It is important to note that the "Concert" took an active interest in maintaining the peace of Europe, keeping alive the hopes of the Peace Movement.

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[18] J. A. Hobson, *Richard Cobden: The International Man* (London 1918) p. 387.

The Hague System

Some say the Hague System was set up by the Czar Nicholas II of Russia for his own advantage, but it still made a contribution to the search for peace. The main feature of the Hague System was its universality. It began with twenty-six states from Europe. By its second meeting, it included forty-four states, many of which were from Latin America. So it was not until 1907 that the major nations of the world were able to sit down together. "This is the first time that the representative of all constituted states have been gathered together to discuss interests which they have in common and which contemplate the good of all mankind."[19] The Concert of Europe was exclusively for "great powers." The Hague gave great attention to the involvement of small powers. They learned what we are still experiencing today in the United Nations—the difficulty of fairly resolving disputes between nations which are not of equal stature. The danger existed then, as it does now, of smaller states dragging larger states into war, either for their own interest or the vested interest of their "bigger brother." The Hague System tried to put in place an organization in which all states could peacefully arbitrate their differences. The conferences encouraged states to avoid war, but no attempt was made to outlaw war. Given time, the Hague System might have further advanced the cause of peace, but time ran out with the outbreak of the First World War.

Theoretically, before the outbreak of hostilities in World War I, the peace movement had made great strides. By 1900, there were more than 400 peace organizations throughout the world. Peace congresses were held annually, and there was great hope that war would finally be abolished. It was not to be.

The League of Nations

The Concert of Europe and the Hague System were not useless endeavors on the road to peace. They were, rather, steps leading up to the formation of the League of Nations. The League itself, though destined to be just another step, was a quantum leap in man's search for peace. The blueprints for this new organization came from a little known but extraordinary statesman, Jan Christaan Smuts of England and South Africa. Smuts was terribly upset over the loss of millions of young men killed in the war, and was determined that their sacrifice would not be in vain. He wrote: "The League of Nations is no longer an idea in cloudland, but will soon be recognized as a necessary organ of future European government. It will stand out as the greatest creative effort of the human race in

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[19] J. B. Scott (ed.) *The Reports to the Hague Conferences of 1899 and 1907* (Oxford: Humphrey Milford, 1917) p. 201.

the sphere of political government, and will then be seen to have justified all the losses and sufferings of this, the greatest tragedy in history."[20]

President Wilson, the chairman of the Commission of the League, read Smuts' pamphlet entitled, "The League of Nations: A Practical Suggestion," and then completely revised his own draft for the League. Only later did Wilson admit this fact and give the proper credit to Smuts. This initial deceit was a poor beginning for a League of Nations that promised so much to a world weary of war. It was the first sign that the League was diseased from the beginning by the selfishness of its members. The Big Four, France, England, Italy and the United States, much like the "big powers" in the Concert of Europe, dominated the conference. They vied for territory, power and hegemony. Clemenceau rejected Wilson's Fourteen Points. Wilson's plan was also rejected by his own Congress at home—small nations were treated as beggars. Smuts saw what was happening, and sadly wrote, "I am seriously afraid that the peace to which we are working is an impossible peace conceived on a wrong basis. . ."[21] He tried to convince the League to help, not punish, the defeated enemy: "For civilization is one body, and we are all members of one another. . ."[22] To no avail! The League was tested and failed when Italy, without provocation, attacked Abyssinia. Public opinion demanded international sanction be imposed on Italy. The governments of England and France, fearing war with both Japan and Germany, decided that Italy should not be harassed, so that if war came, Italy would remain an ally, not an enemy. This was the end of the League as a credible force for peace. Three years later Mr. Chamberlain was to make another concession in favor of the balance of power as opposed to the commitment of collective security. The concession was that Czechoslovakia would not be injured as a nation with the withdrawal of a small number of Germans. This time the people of England and France breathed a sigh of relief; peace was to be preserved, but only for a short period. In March, 1939, Hitler conquered Czechoslovakia and then entered Poland. World War II began as a war to save the world from tyranny. Neville Chamberlain, who first chose appeasement to maintain the peace, now said: "We are aiming not only at victory, but rather look beyond it to the laying of a foundation of a better international system . . . I am certain that all the peoples of Europe including the peoples of Germany, long for peace."[23]

The United Nations

After every great war there has been a great movement towards peace. This time it began long before the war was won. The Big Four, China,

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[20] Joan Joseph, *South African Statesman,* (Julian Messner, New York 1969) p. 132.
[21] *Ibid* p. 135.
[22] *Ibid* p. 138.
[23] John Wheller Bennett and A. J. Nicholls, *The Semblance of Peace* (London 1972) p. 14.

England, Russia and the United States began to plan a new international organization for peaceful settlements of disputes at the Moscow Conference, in October 1943. The structure began to take shape from August 21, 1944, when the Dumbarton Oaks Conversation took place in Washington, D.C. The great powers once again sat down to debate, cajole, persuade, compromise and negotiate into being, mankind's newest creation for establishing a lasting peace. The League of Nations was a failure; the United Nations was to avoid the mistakes of the past. Jan Christiaan Smuts was appointed first president of the General Assembly. Once again he placed his dreams for lasting peace into the charter of a world organization. In the Preamble of the Charter of the United Nations, he wrote: "We the peoples of the United Nations, determined to save succeeding generations from the scourge of war. . ."[24]

The new organization leaned heavily on what went before, assimilating the good and weeding out the bad. The United Nations incorporated many of the international organizations already in existence, as well as adding new ones of its own. Yet, the dominant role, as in the past, was to be played by the great powers in the Security Council. The smaller nations were to have their say in the General Assembly, where it was hoped their integrity and interest would be heard and protected. It was to be the hope of the future. President Roosevelt, in heralding the new infant's arrival, wrote on June 15, 1944: ". . .the hope of a peaceful and advancing world will rest upon the willingness and ability of the peace-loving nations, large and small, bearing responsibility commensurate with their individual capacities, to work together for the maintenance of peace and security."[25]

Has the United Nations kept the peace—or has the policy of mutually assured destruction kept the peace—or has there been peace? Critics say the big powers grant themselves special privileges, such as the right to veto in the Security Council, which has all but rendered the organization useless in settling disputes between nations. At the present time, the United Nations appears to be only another step in our effort to achieve world peace through international organizations. The jury is still out, of course, as to its ultimate contribution to world peace and order, but already there are those who are looking beyond the United Nations to a World Government resembling a community of states.

Traditionalist and Behaviorists

Before we end this trail of peace we must mention another group who has labored in the field of peace. Working in and outside of international or-

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[24] Joan Joseph, *South African Statesman,* p. 172.

[25] "Postwar Foreign Policy Preparation," p. 269. Cited in Ines L. Claude Jr., *Swords into Plowshares,* (Random House, New York, 1971) p. 69.

ganizations are political scientists who plan and design new models of world order that they feel will insure world peace. They divide themselves into two groups, traditionalists and behaviorists. Members of each group believe that data should be collected, analyzed, substantiated and evaluated in order to make general conclusions as to the dangers of war, or prospects for peace. The traditionalists favor a historical, philosophical, and legal approach in collecting and judging their data. The behaviorists, on the other hand, rely heavily on scientific methods of research, empirical data, multiple variables, testable hypotheses, computer printouts, and mathematical conclusions in their search for the perfect world order. Since both sides still spend some of their time fighting with one another as to who is right, it may be some time before we have a substantial contribution from either side. As Knorr and Rosenau wrote: "To the practitioners of the scientific approach who argue that in the long run their inquiries will yield more reliable findings and thus more realistic solutions, the traditionalists are likely to respond, paraphrasing Keynes, that 'in the long run we'll all be dead—and perhaps in the short run too.' "[26] The traditionalists in turn have been around for a long time, and though their thoughts and judgments have often lighted the way, lasting peace has not been the final result of their efforts.

War and Rumors of War

Having quickly and lightly touched the stepping stones of peace in history, we come now to the present. The Center for Defense Information, a non-profit research organization with headquarters on Capitol Hill, published a survey of the world's current armed conflicts. It counted 37 major or minor wars in the last 12 years, and estimates between one and five million killed.[27] So after centuries of efforts, briefly outlined here, war is still a great, if not greater than ever, problem facing mankind. Men of great intellect have probed deep into the heart of the problem, mighty and powerful international organizations have been created to settle the problem peacefully, and wars have been fought to eliminate the problem permanently. Is it then a hopeless endeavor? Absolutely not; each step we take brings us closer, and each thought sheds a little more light. Only now, with the capacity to destroy the world, the steps must be quicker and the thoughts more intense. The desire for peace must overtake the arms race, bring it under control, and harness forever its potential danger to the world. We must never believe that lasting peace is beyond our grasp. Rather we must always believe that perpetual peace is our destiny.

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[26] Klaus Knorr and James N. Rosenau. (Ed.) *Contending Approaches to International Politics.* (Princeton University Press 1969) p. 9.

[27] *The Washington Post,* Jan 27, 1980. p. 35.

Peace

Peace has escaped us in the past because of missed opportunity, lack of understanding, reliance on emotion rather than reason, and recourse to arms when negotiations failed. There is now a new move towards peace. It is coming slowly but surely to live in the minds and hearts of the people. In 1981 nearly three million Europeans marched in the streets demanding peace, decrying the arms race, and the placement of nuclear weapons on their soil. In the United States more than 200 local groups are seeking passage by state legislatures of resolutions calling for a freeze in nuclear weapon production. The conscious, caring, responsible citizen is well aware of all these efforts. For most though, the problem remains; how do you choose the right solution? There are those who say unilateral disarmament is the only way. Bertrand Russell's "Better Red than Dead" is their slogan. Others continue to redefine the just war theory, adjusting it to the presence of nuclear weapons, forgetting of course the advice of Erasmus that all nations believe in going to war, having either sufficient reason or sufficient provocation. Instead of spending time defending "just wars," a theory that has not prevented wars, it is better to develop a strategy for peace. Even though peace movements have not prevented wars, they are our best hope to prevent nuclear war. Peace, like war, is not easily won. It is not found in simple answers, or it would have been found long ago. The complications are there, because peace is not the only issue. Freedom has been as eagerly sought, and as elusive a prize to achieve, as peace. The ancient Greeks thought about it, sought it, fought for it—but it has been a long time coming.

Freedom

Lexington and Concord were the opening scene of a drama that is still going on—the world-long struggle for human dignity, human rights, and human happiness. Can we "freeze" these rights as we try to freeze the growth of nuclear weapons? The overwhelming moral arguments against nuclear war cannot be challenged. But what of the use of deterrence to preserve that freedom so eagerly sought from the beginning of time and so dearly paid for by the blood of our martyrs. The problem then, is not only to achieve lasting peace, but to secure freedom with all its privileges. To do this we need the feelings of Erasmus, the pragmatism of More, the Social Contract of Rousseau, a form of sovereignty described by either Hobbes or Locke, and the fire and enthusiasm of Thomas Paine.

Security

We need all this advice because most of us, when we go out, do not expect to be attacked, nor to find our family dead and possessions stolen when we come home. We have entered into society to avoid those disasters that could easily befall us in a state of nature. Nations, however, do

not have that sense of security. They expect to be attacked; they have a fear of penetration by other nations, and a constant tendency to overarm to counter that threat, so much so, that these arms become a threat to themselves. Governments believe they must make every effort to preserve their national integrity and protect their citizens. The Soviet leaders, having inherited a fear of invasion and believing in the inevitable domination of world communism, seek extreme defense measures. We, having inherited a love for freedom and civil liberties, seek to preserve them, knowing full well that if we lose them they must be won all over again by each succeeding generation, continuing the prospect of war forever. The Russians allow no open discussion on arms control, placing a heavier burden on the peace-loving people of the West. They must not only speak for themselves, but must concern themselves with the safety of the Russian people as well.

Negotiation and Cooperation

In discussing peace, and the ways to attain it, we must understand that morally good individuals come to different conclusions. If it is our destiny to bring peace to this world, we must begin by bringing peace to each other. If we are to win the prize, everybody's strategy depends on everybody else's—like a game. Game theory is a legitimate form of political analysis and can shed light on the problem before us. When one wants to win a game, any game, he must consider the strategies of his opponent. If there are three or more players in the game, he will have to form a coalition, even though this may mean cooperating with a former enemy. Cooperation becomes even more necessary when one will lose, unless he joins up with someone else. Yet, this alliance will not always happen, because the two sides are such noted non-cooperators, they have no common ground to stand on, nor good will to rely on, that could lead to the compromise. As a result, they will never seize the proper moment for cooperation, as they cannot see the moral good of the other's action.

What can be said then, of those who denounce at the very outset, any possibility of the representatives of the military profession sitting down with the representatives of peace movements? Simply, in peace as in war, once the opportunity is missed, it is lost forever. In order to have peace and security, it is time for a collective moral judgment to be made by the government, the military, and the people. All sides should avoid oversimplification and the holding of absolute positions. We must come to realize that more can be gained by talking inside the Pentagon than by marching outside, and that more can be done by voting than protesting. Each of us has one 240 millionth of a say in this decision which the government must make in balancing the need for arms with the need for food and medical assistance. If we make that decision together, a unified America will serve as a deterrent to those who hope we will divide ourselves before we fall before them.

America's Heroic Challenge

I have been writing as a student of politics. If I were writing as a patriot, I would recall that this country was founded on a firm reliance on God's providence, and under that providence we are called to be peacemakers of the world. We have the power; we need now the will of all our citizens to accept this heroic challenge of peace. We must search our national and personal souls for a moral answer that will provide peace, security, and survival, not only for ourselves, but for all God's People on earth. Dante reserved the deepest place in hell for those who would not get involved. The greatest evil is not in "thinking the unthinkable" but not thinking at all. God calls us to continue this arduous journey towards peace—to leave a trail that others can follow—to feed the hungry—to uphold the dignity of all people's—to proclaim again, "that they are endowed by their creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness." What a noble calling!

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Catholic and Military

Mary Ellen Ruff

Approximately 40 percent of the United States Armed Services belong to the Catholic Church, whose members since Vatican Council II, have been evolving from an often docile observance of rules and rituals to a more responsible understanding of their personal relationship to God. We express this vertical relationship to Him through our horizontal link to His children on earth. Stated simply, Catholic teaching for the last two decades has emphasized with fresh urgency "Love God by loving others." If over one-third of the Armed Forces belongs to such an evolving church, the United States military will reflect that change in some measure. For example, the time may come when church and state ask Catholic military to make a choice between them on a particular issue—nuclear weapons.

This is a surprising statement from a person who, as a military dependent, has had no problem balancing religious and patriotic feelings. "God and country" was an unspoken equation for me during nine of the last 11 years our family has been military. I had to reevaluate that equation and my life beginning two years ago when God began to deal with me on the issue of Christian participation in war. For several years I had been searching through prayer and Bible reading for God's truth in my

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life. And through a near divorce He taught me the meaning of love, the love He has for us and that His son exemplified in His death on the cross. Unlike human love, it is unconditional with no strings attached. It is given simply because it exists, with no hope of reward or reciprocation. The realization that we could attain to that love and express it in some small degree on earth saved my marriage.

My next insight from prayer was: If unconditional love converts on the personal and family levels, it will also work in our relationship to the rest of the world. It didn't take long for me to accept that intellectually, but I had great difficulty in internalizing it because it seemed to mean denial of my life as I then saw it as a military dependent wife. I fought with God in prayer for almost a year trying to convince Him that He had given us the right of self-defense. To prove my point to God I researched just-war theory and was surprised at my own ignorance, while grateful for the wisdom and patience of my Lord.

When I first realized that I was a pacifist, I asked God to give this gift to my husband immediately. How could we remain in the military when it was obviously the wrong place for me to be? But then I began to understand that God wants eyes, ears and mouths in every segment of society to speak out and tell His children of His love for them and their need to love others unconditionally. I am where I belong right now.

The greatest need for military Catholics is the same one I had two years ago—to understand just-war theory. Not all will go further with it as I did, but we do need to understand at least what our church requires from us. Recently, a chaplain objected when I said we could not retaliate with strategic nuclear weapons against Russian cities if they first sent bombs against our cities and people. I tried to make it clear that we could still use nuclear weapons proportionately against military targets, but indiscriminate use of these weapons against civilians was condemned by our church. His disbelief points up our urgent need to become familiar with the church's teaching on modern warfare, particularly if our families are part of the system which utilizes these weapons.

On the subject of the arms race, for example, the Holy See said that "Even when motivated by a concern for legitimate defense" nuclear weapons are not only "a danger," but "an injustice" and a "form of theft" because the enormous cost of their production diverts funds from the needy. The church passed judgment on the arms race in no uncertain terms when it said: "It is to be condemned unreservedly."

The United States Catholic Bishops in 1976 said of deterrence: "As the possessors of a vast nuclear arsenal, we must be aware that not only is it wrong to attack civilian populations but it is also wrong to threaten to attack them as a strategy of deterrence."

At Hiroshima's Peace Park in February 1981, Pope John Paul II urged those in power to remember the past by working for peace in the future through a policy of disarmament. Afterwards he spoke to an in-

ternational gathering of scientists and scholars on the subjects of weapons production and lifestyles: "The moment is approaching when priorities will have to be redefined. For example, it has been estimated that about half the world's research workers are at present employed for military purposes. Can the human family morally go on much longer in this direction?"

Catholic military unfamiliar with the full texts of these quoted statements are confused by the urgency of such appeals. The average Catholic rarely reads papal statements, documents of the Second Vatican Council or pastoral letters of the Synod of Bishops and the United States Catholic Conference. Magazines and newspapers distributed by the military parishes disturb the reader who is unaware that such statements exist.

For example, browsing through a July 1981 issue of AMERICA, military readers must have been astonished by the author's provocative appraisal of Cardinal John Krol's testimony in favor of SALT II before the Senate Foreign Relations Committee. In his article, "The Bow or the Cloud: American Bishops Challenge the Arms Race" (7/18-25/81), Francis X. Winters draws the following conclusion: "If the bishops are correct in their assessment of the damage to be expected from any nuclear exchange, Catholics in the line of command for the use of, or threat to use, these weapons are now forbidden by conscience from meeting these constitutional responsibilities under pain of serious sin. Resignation is their only morally viable option."

Though this interpretation may be correct, Cardinal Krol has not yet issued a national call for resignation to military officers. Nor has Cardinal Terence Cooke, the Military Vicar, confirmed Father Winters's statement. On the contrary, in his recent five-page letter to military chaplains Cardinal Cooke has distinctly supported the legitimate function of military service as a valuable contribution to society, and even said, "the church considers the strategy of nuclear deterrence morally tolerable; not satisfactory, but tolerable."

It is more likely that Cardinal Krol was encouraging the Senate Committee to renewed disarmament efforts through SALT II by his presentation of recent church statements: "Any act of war aimed indiscriminately at the destruction of entire cities or of extensive areas along with their population is a crime against God and man himself. It merits unequivocal and unhesitating condemnation." And "As the possessors of a vast nuclear arsenal, we must also be aware that it is not only wrong to attack civilian populations but it is also wrong to threaten to attack them as part of a strategy of deterrence. We urge the continued development and implementation of policies which seek to bring these weapons more securely under control, progressively reduce their presence in the world, and ultimately remove them entirely."

These are forceful statements on the church's position against nuclear weapons, yet they do not precisely call for military resignation.

Rather, they indicate the direction in which our church is heading; they validate nonviolent action and they motivate the peace movement itself. However, they leave much unsaid. The church has not yet condemned defensive war based on just-war principles or the use of conventional weapons. We may still manufacture and possess nuclear weapons, we may even use them legitimately as discriminate weapons against military targets.

In any case, no mass resignation in the military has occurred; in fact, very little discussion of these subjects has taken place, especially on the official parish level. Either the majority of Catholic military is well versed in church statements or these articles are not being read. Since the former would be surprising because of the inherent human distaste for biting the hand that feeds us, the latter is more probable. Mary Lou Kownacki, editor of *A Race to Nowhere: An Arms Race Primer for Catholics,* refers to this problem when she says that "The Catholic Church's position on modern war is one of its best kept secrets—most Catholics don't even know it."

The United States bishops are attempting to remedy this situation. A pastoral letter of the National Conference of Catholic Bishops (N.C.C.B.) is being prepared for the 1982 November meeting. It will deal with the very complex issue of the church's stand on nuclear weapons and will offer a clarification of a presently confusing issue. Archbishop Joseph L. Bernardin, chairman of the N.C.C.B.'s ad hoc Committee on War and Peace gave a preliminary report to the bishops gathered for the November 1981 meeting in Washington, D.C. With the exception of a few dozen, the 300 bishops present widely applauded and confirmed his statements, some of which relate to the lack of awareness of American Catholics on the nuclear issue. He said that "our goal must be not only to state the teaching of the church on nuclear warfare clearly but to find ways and means to bring this teaching to our parishes, pulpits and schools."

And that is the crux of the problem: Some few will speak out and study information available, but for the majority it is necessary to bring it down to the local parish level and this is not being done. There have been a number of "outside" parishes that have anticipated this call to education, but within military society it has been literally ignored. For those on the "outside" this lack of interest is regrettable; but for the military Catholic, whose lifestyle is based on the very principles to which these teachings speak, it is inexcusable.

However, it may be understandable when we look at the reasons for the military Catholic's hesitancy to study the subject. First, unfortunate stereotyping exists on both sides of the issue. Not every military Catholic who supports the use of nuclear weapons as a strategy of deterrence is a warmonger. Neither is every person who rejects their use a pacifist. Nor, for that matter, are pacifists cowards or Communists.

This stereotyping blocks our ability to get a clear picture of the situation. It clouds the issue and prohibits understanding of the terms involved. As a result the chaplaincy and the military vicariate either avoid or refuse to accept the necessity for peace education.

Thus, the process of proper and informed conscience formation is hindered in the military parish, particularly for the teenage C.C.D. student who has no place to turn with questions raised by the Law of Love teaching he has received for the last two decades.

Archbishop Bernardin also said on that subject that we are called "to provide for effective methods of conscience formation on issues of war and peace." He included three categories that "have particular pastoral relevance, since they are designed to aid an individual faced with either voluntary or compulsory military service." These three categories to be considered in forming a conscience are: first, the legitimacy of military service; second, the right to conscientious objection or pacifism; and third, a selective conscientious objection based on just-war theory as in the case of nuclear weapons and their use.

One of the failures of the military Catholic is in not recognizing that the validity of one category does not mean the negation of the other two. Unfortunately, there is often an all-or-nothing attitude. For if military service is to be legitimate, it must mean that the other two categories are wrong. It may not be said out loud, but it is the prevalent attitude. Before these teachings can reach the military parish level, the community must be convinced that the legitimacy of conscientious objection or selective conscientious objection stand does not threaten them personally. When this initial fear is overcome, the Catholic military parish will be able to investigate the three stands on war that are honored by our church.

This study will necessarily include just-war theory and its development within a previously pacifist church. It is amazing how little is known about the very theory which buttresses the life of the military Catholic, other than to say "If America says go, it must be just." Catholics today must remember that the just-war theory is based on the premise that war *is* evil and *only* when certain conditions prevail can that presumption of evil be overridden. There are conditions that must be met if Christians are to participate in war, and *all* of these must be operative throughout the war. If even one condition is not met, Christians cannot participate in the war. To be just, war must:

1. be declared by legitimate authority,
2. have a just cause (defense of the nation or others being attacked unjustly),
3. be fought with the right intention (to restore peace rather than to punish),
4. be preceded by a declaration of war,
5. be the last resort (all other means of restoring justice ex-

hausted),
6. have a reasonable hope of success,
7. maintain proportionality (the good sought must outweigh the harm done),
8. be waged with just means and conduct (preserving the immunity of noncombatants).

For 16 centuries Christians have not seriously questioned warfare, but with the saturation and incendiary bombings of World War II, the explosion of the atomic bomb on Hiroshima and Nagasaki and the development of N.B.C. (nuclear, bacteriological and chemical) weapons, the popes and bishops have been forced to take a new look at the just-war theory in relation to these weapons and our reasons for using them. The change has been slow, but the differences are evident to those who will look. Though a centuries-old tradition cannot be discarded overnight, the Catholic Church is actively seeking means to bring about an effective peace in the world. We are in the process of collectively examining our conscience.

Recent church statements on war and peace are causing increased discussion among Catholics. Those who read Christ's Gospel as a statement on nonviolence must remember that there is still much about the just-war tradition that is honored and maintained in our church. Those who see pacifism as impractical and equate it with cowardice need to open their hearts and minds to the power and courage needed to relinquish rights so valued by this world. The followers of both traditions can dissect each church statement, claiming support for their position by what it says or fails to say. This myopic attitude toward church teaching only serves to widen the gulf between both positions, clouding the larger view—the direction these peace and justice issues are taking. It is as if a large grocery list has been made up, and one by one items are being crossed off. One side says: "Only a few more to go!" The other responds: "Look how much we still can do!" True, there is still much left on the list; but given the present inclinations of the church, it may be only a matter of time until the last item is crossed off.

More than anyone else, Catholic military should keep a close eye on that list. Because of outside pressures and internal influences, America is mentally preparing for war. As protectors of the peace we hope that will never come to pass: The military has the greatest incentive to maintain peace—their own lives. But should America decide that there is no other alternative in a given situation and declares her intention to go to war using N.B.C. weapons, the unthinkable may happen: The Catholic Church may declare that it is not morally permissible for Catholic military to take part since the just-war criteria of proportionality and safety of innocent life are not able to be met. Catholic military need to keep themselves informed of the church's teaching on war and peace, for if the unthinkable war does happen and almost two million Catholic mili-

tary and dependents are thrown into confusion on a day that would call for speed, readiness and cohesion, it will be of little avail to wish that someone had informed us sooner of where our church stood.

Over the past seven months it has become apparent to me that the vast majority of the Catholic military population along with the chaplaincy does not understand the basic principle of just-war theory. I have never heard a sermon listing the criteria or explaining their development and use in the modern world. Perhaps a glossary would be a good first step. It could explain the difference between discriminate and indiscriminate use of nuclear weapons: between fission and fusion devices and their implications in church teachings; between the manufacture and possession of these weapons versus their use in the strategy of deterrence; between unilateral disarmament and the call to disarm in the face of escalation.

I have been attempting to begin discussion of this issue at the official parish level. I was initially shocked and upset by the refusal of the chaplaincy to do so, though I understand it is difficult to discuss lifestyles in such a controversial area. I wrote to Cardinal Cooke asking for permission to begin these studies in our parish and received a response from his coadjutor Archbishop Joseph T. Ryan, in the form of the book *In Defense of Life* by Bishop Joseph J. O'Connor. Unfortunately, this book is rather one-sided, presenting only those things that are comfortable for military Catholics. It could be used very well in conjunction with other material to present a well-rounded overview of the subject; but it is ordinarily used as the authoritative voice of the church for the military. It is more of a sedative than a stimulant, and that is regrettable. I have since written another letter and am waiting for a reply; but the recent establishment of the House of Prayer and Study for Peace by the Vicariate and its approaching meeting with the Pax Christi Disarmament Commission encourage me to believe that they may be willing to begin study soon in military parishes.

In talking to my friends and neighbors it is clear that there is no lack of love or Christian emotion on the part of military Catholics. It is their firm desire to maintain peace that urges them to accept the horror of nuclear weapons. But while the Vicariate itself understands what the church is presently saying, it is not making clear to military Catholics their limitations in modern warfare. And without that education the stereotyping will continue on both sides with the resultant fear and anger that we so often see.

The fact that my husband and I live together with love and respect for each other while holding opposing views on Christian participation in war shows that hope exists for understanding and agreement on a larger scale.

Toward Understanding War

Chaplain (MAJ) Thomas R. Decker

> An old life-saving station stands as a silent sentinel on the beach at Sandy Hook in northern New Jersey. Its chief use now is as a visitor center. The rubber-wheeled beach carriages no longer assault the dunes with line, buoy, and boat to haul survivors from ships foundering in the surf. It's not that people are no longer interested in saving lives: there's just no call for that service any more. Modern technology has advanced ship safety as well as rescue procedures. And ships seldom go aground there any more.

The conduct of war at the dawn of the 21st century should be as antiquated and useless as the old, outdated life-saving station. Unfortunately, war is a reality more serious than ever before. The spectre of war, instead of vanishing like an anachronistic oddity, has risen to awesome heights.

The superpowers of the United States and Russia are armed for a conflict which could ultimately engulf the entire world in nuclear conflagration. Added to this mutually self-destructive posture of defense and aggression is the sobering realization that "modern scientific weapons" are also available to third world countries.

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Our understanding of war today is clouded because the issues which draw nations into conflict may seem less clear cut than in previous wars. The conduct of modern warfare has also expanded to include the cold war, terrorism, nuclear blackmail, intervention and non-intervention policies, and economic boycotts. These modern efforts for strategic advantage stand in fuzzy contrast to historically declared, documented, and defined wars.

Christian taxpayers may worry that defense spending occupies too prominent a place in the congressional budget. Christians may also be tempted to balance the bottom line of the defense budget with declining human service programs. There are, however, deeper questions. Rather than asking "how much," Christians need to ask, "why." The *immediate* issue is the possibility of war. The *ultimate* question is the survival of humanity and the value of life.

Our nation—among others—has gone through tremendous inner political and spiritual struggles in an attempt to balance the books of international power. Questions abound about the political processes of self determination for emerging countries, nuclear and conventional arms proliferation, and the securing of natural resources for industrialized societies. A serious issue for western countries is, "What is the price of freedom?" These are not mere political planks which can be delegated to responsible governmental agencies. Christians need to be informed and able to act and speak responsibly for their faith, their country, and their convictions. To work for peace, Christians need a knowledge of war.

Three Views of War

Traditionally there are three views of war: pacifism, the just war, and the crusade (or holy war). Christian thinking has influenced the development and practice of each view. The Christian contribution has not been just an academic exercise. Christians have been involved in wars economically, ethically, emotionally, and spiritually to say nothing of their physical presence. Consequently western thought about war is overlaid with Christian influence.

Pacifism was the first Christian response to war. When pagan influence sought to suppress the faith, Christians chose to endure rather than fight. The clearest example of the early church's stand was in response to the question of whether Judea should revolt against Rome. The answer was a pacifist's "no."

Roland Bainton in his book, *Christian Attitudes Towards War and Peace,* points out that during this early period, ". . . no Christian author to our knowledge approved of Christian participation in battle."[1]

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[1] Roland H. Bainton, *Christian Attitudes Toward War and Peace,* (Nashville: Abingdon Press, 1960), p. 66.

[2] *Ibid.*, p. 98.

There is evidence, however, of Christians in military service. And they apparently maintained their standing within the early Christian communion.

The legacy of pacifism today is most significant in the peace movement. Pacifism's tenets have gained ground for all humanity in the civil rights movements of India and the United States. Even if pacifism is not embraced by all nations of the world, the pacifist's convictions have certainly tempered negotiations for nuclear disarmament and arms reductions within the international community.

Christians in the fourth and fifth centuries adopted the classical just-war theory for their own use when faced with the barbarian invasions and simultaneous threat of the extinction of the Christian faith. Just war was waged to vindicate justice and restore peace. Christian churchmen Ambrose and Augustine helped define a Christian code of war. Notably Augustine advocated a motive of love and called for the clergy to be exempt from military service.[2]

Today the free world's just-war theory says simply that nations may resort to arms if there are sufficient legitimate grounds for doing so. Ethical thinkers have identified principles for judging when war is right and when it is not. Antecedents for just-war criteria are rooted in Judaeo-Christian ethics.

These ethical considerations include: a just cause usually defined as aggression by another country; just intentions; sanction by the highest lawful authority (in a democracy the will of the people needs expression); public declaration of what is contemplated; due proportion, i.e. less evil results from acting rather than not acting; a reasonable hope of success; a last resort when all reasonable negotiations have been tried; and the employment of just means to minimize the risks to innocent noncombatants, avoiding also terrorism and torture.

America has traditionally paid close attention to the rightness of going to war (*jus ad bellum*). International law such as the Geneva-Hague Conventions reflects "right conduct in war" *(jus in bello)*. The former examines seriously the nation's rationale for entering into armed conflict or employing the use of force; the latter determines the rules for waging war once the hostilities have started.

The Christian era initially saw the crusade as a means of extending the faith into previously held barbarian lands. Later the crusade was a means of establishing peace through armed conflict. Urban II, Pope in 1095, launched the Crusades as a way to regain for Christendom the Holy Land, to overcome the infidels, and to establish a Christian peace in the world.

Our contemporary world is acquainted with the crusading fervor of Islamic countries. The *jihad* or holy war is classical Islam's claim for

the rightness of preserving and extending the faith through war. Islam teaches that those who die in battle during a holy war go straight to heaven.

Balancing Perspectives

Jacques Ellul, a French layman, in his book *Violence* points out that the Christian Church characteristically tries to justify the state in deciding whether or not to support entering into armed conflict.[3] The question usually asked is, "When is the state's decision right?" The alternatives are: support some type of violence and vindicate the government's action or oppose the government and stand apart with Christian ideals. Christians, Ellul maintains, find no easy answers in either trying to justify or to avoid violence of any kind. Whatever their answer, Christians are in an either-or bind of living with their decisions and following through with the appropriate response. Ellul suggests that Christians balance the state's role more realistically as being *both* ordained by God for the preservation of peace and order *and yet* capable of great injustice.

The problem is compounded in many countries today: war is possible for anyone with a cause. Wars are fought in the name of nationalism by guerrillas, terrorists, and partisans. Consequently, established countries are no longer the only ones to wage war. Unquestionably the old standards for the conduct of war have eroded. This leaves Christians in many countries with the difficulty of deciding who to support—the established state or some popular cause.

Even more basic for a contemporary balance of war and peace is our understanding of the value of all life. Roman Catholics are aware that Pope Paul VI, in his New Year's Day address of 1977, challenged the world; "If you want peace, defend life."[4] Sister Teresa of Calcutta reiterated this philosophy when she accepted the Nobel Peace Prize in 1979 for her work among the dying, the poor, the sick, and the homeless.

> I feel the greatest destroyer of peace today is abortion, because it is a direct war, a direct killing, a direct murder by the mother herself. . . Many people are very, very concerned with the children of India, with the children of Africa where quite a number die, maybe of malnutrition, of hunger, and so on, but millions are dying deliberately by the will of the mother. And this is the greatest destroyer of peace today. Because if a mother can kill her own child, what is life for me to kill you and you to kill me. There is nothing between.[5]

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[3] Jacques Ellul, *Violence,* (New York: Seabury Press, 1969), pp. 12–26.

[4] As quoted in John J. O'Connor, *In Defense of Life,* (Boston: St. Paul Editions, 1981), p. 116.

[5] *Ibid.*, p. 127.

The simplicity, the frankness, the truth of Sister Teresa's statement connects what happens at the bargaining tables of the world with what happens in our own minds and hearts as we determine the course of our own lives.

More Than Survival

Our laity and clergy have a claim in the issues of war and peace. Our interest is assuredly personal: we would opt for peace if for no other reason than that our very lives are at stake. Perhaps selfishly we would like to see our children live and their children as well. At any rate we are instinctively moved to live and to preserve life.

There is more at stake than mere survival. We believe that the fullest expression of life is one's fellowship with God. Humans are not simply plucked like carrots from the ground. Humanity is the significant part of God's creation. All of creation is declared by God to be "good," but only man carries the very image of God. Appropriately then humanity finds fulfillment in relationship with the Creator.

But mankind also lives in community. Our Scriptures are full of images of human relationships ranging from Adam and Eve in the garden to the New Jerusalem, the City of God. From this family album of relationships we see candid views of mankind at its very worst. We are also privy to some of the most intimate caring of which mankind is capable. Truly the whole range of human emotions is a part of our common heritage. Our Scriptures present this panoply of humanity against the backdrop of mankind in relationship to God.

Wars call all relationships into question, both our relationship with God and our relationship with our neighbor. Thomas Merton observed that the root of war is fear, not so much fear of what our brother will do to us as fear of what we will do to ourselves because we do not truly believe in God.[6] And so even the most distant rumblings of war are serious threats not only to our survival but also to our existence as true human beings.

Most people, however, do not get beyond what the perceived enemy may do to us. We fear the Russians, quite frankly, because we believe that they would like to take over the world. We have fought wars in the not-too-distant past where tyrants attempted just that. There was hardly any doubt in anyone's mind that World War II was required to stop Adolph Hitler.

At best we thread a maze between war and peace. Our path is illumined by the light of our faith. But there is deep darkness too from our

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[6] Thomas Merton, *Seeds of Contemplation,* (New York: Dell Publishing Company, 1959), p. 66.

own fear. Perhaps the most that we can hope for is a concerted effort at nuclear disarmament and/or arms reduction while at the same time preserving a posture of defense for our nation.

It would be too much to call such a plan "Christian" or even "Judaeo-Christian." But what we call it is not important. What we do as a nation, however, is paramount to the welfare of the world as community. The community of faith certainly has much to offer by energizing thought and action towards the end of workable peace.

A Dialogue for Peace

Our influence is not based on religious motivation, social activism, or even numbers (e.g. a majority which happens to be moral.) Our power is spiritual and has as its base the ongoing dialogue between God and his world.

Christians have traditionally heard two kinds of words from God directed to the affairs of men: a word of *Law* and a word of *Gospel.* The word of *Law* describes what should be and accuses men of what is not. The word of *Gospel* takes into account what is not and declares God's unqualified yes to his or her creation. The dialogue is the ebb and flow of life in relationship with God. The *Law* confronts man with his selfishness and alienation. The *Gospel* restores man to his rightful position in the Kingdom. Man, of course responds to the word of *Gospel* in faith by saying an active and on-going yes to God. But all men stand accused by the *Law* because they have chosen disobedience rather than obedience.

These two words, *Law* and *Gospel,* are a vital part of the dialogue between war and peace, certainly not because they are synonymous, but because the *Law* brings man's motives and shortcomings under judgment and the *Gospel* frees men to act as God's agents in the world.

Regrettably, national self-interest implicates both church and state in the guilt associated with war. The accusation of the *Law* stands true: "Their feet are swift to shed blood, in their paths are ruin and misery, and the way of peace they do not know."[7] There is no justification in God's eyes for war's indiscriminate and wanton destruction of his creation. In times past the church has sought to justify the state's actions. But the *Law* holds us accountable for all motives and actions. Unless we hear the word of the *Law* in the ongoing dialogue between God and his world, we may continue blindly, convinced that either war or pacifism is "necessary" for the preservation of all that we hold near and dear. In reality we have replaced the God of the universe with the god of necessity made incarnate by nuclear weapons.

The *Gospel,* on the other hand, is God's gracious word in Jesus Christ. This speaks to us of another incarnation, one of flesh and blood

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[7] *Romans* 3:15-17.

bent not on destruction but on restoration and a new creation. But the word is now and the dialogue goes on in the present. God's *Gospel* word frees men and their institutions when caught up in the inevitable clashes of our sinful will. The *Gospel* then becomes our new hope, the Word of God spoken to a world's warring madness: ". . .God was reconciling the world unto himself, not counting men's sins against them."[8] This word heightens the value and dignity of all human life—even among our perceived enemies. And unless we are engaged in this dialogue with the *Gospel,* we shall substitute a lesser hope for the hope of God.

There is bound to be tension in the dialogue of *Law* and *Gospel.* There will be the temptation to sidestep the accusation of the *Law* that we are in fact responsible for our brother. "Necessity dictates something else," we will plead. Or we will devalue the *Gospel's* power for creating fellowship with the neighbor and even with the enemy who is now, *mirabile dictu,* a friend of God! "It won't work unless we can preach to the whole world," will be our complaint! The tensions are unavoidable. But the tensions keep us honest with each other and faithful to our calling. The tensions in dealing with the issues of war and peace may very well be healthy signs of the presence of the Kingdom.

Practically, congregations can and should continue to work and pray for peace. Promoting understanding among the nations is a very real task for clergy and laity alike. A part of our dialogue about war and peace in the congregation can fuel our dialogue in and with the world. Prayer heightens the sensitivity to the issues and involves us in working towards the ultimate ends of God's creation. Our liturgies reflect the tension of dealing with what is not yet and what is yet to come, the very tension that we feel in our lives. Our sacraments are essential to personal forgiveness and relationship in view of personal complicity in the machinations of war. Our pulpits can focus the dialogue between God and his people. The tensions between judgment and grace are written into our liturgies and celebrations of worship. Why not highlight the tensions of war and peace as a starting point for our ministries of reconciliation?

Individual Christians can and do work for their country in many ways. Some may choose vocations seemingly far removed from the interest of national defense. Others may serve—and have served—in the armed forces. But soldier, veteran, combatant, and non-combatant can all contribute to the efforts of freedom and peace. The global dimensions of nuclear holocaust no longer allow the luxury of differentiating between those who go off to war and those who stay by the fireside. We are all involved if not by choice then by geographical inclusion. The value of our work as Christians is the value of Christ serving his people and his world in need of redemption. Our choices matter then, both to the world and to ourselves, both because of what we think and do, and not coincidentally, because of who we are.

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[8] 2 *Corinthians* 5:19.

The Ethical Role of the Military Commander: A Case Study

Captain Alston Shepherd Kirk, CHC, USN

On 2 September 1945 aboard the battleship Missouri, the Japanese nation formally surrendered. Three years, eight months and twenty-two days after the bombing of Pearl Harbor, the Second World War came to an end. Far to the southwest another surrender was taking place on that day. At approximately 1400 on a dusty mountain road outside of Baguio, Mountain Province, Philippine Islands, a war-weary general and his party were met and taken into custody by a Military Policy detachment under the command of LTC Aubrey Kenworthy. LTG Tomoyuki Yamashita, the Tiger of Malaya, had been brought to bay. Formal surrender was delayed until the next morning.

At 1145 on 3 September Yamashita, Commander, Fourteenth Imperial Japanese Area Army, faced MG Edmond Harrison Leavey. To General Leavey's right sat MG Jonathan M. Wainwright, the hero of Corregidor, and to his left General Sir Arthur Percival, Yamashita's foe

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at Singapore. The total elapsed time of the ceremony was sixteen minutes, at the conclusion of which the Fourteenth Area Army ceased to exist.

It was a long road for this second son of a village doctor from Kochi Prefecture. Almost from its beginning, Yamashita's career had spiraled upwards through formal schools and staff assignments, European tours both as student and attache, to Regimental Command of the prestigious 3rd Infantry in 1930. In 1941 he had been selected as Twenty-fifth Army Commander. Partially by tactical ability, partially by bravado, and partially through the despair of the British commander, he captured the Malayan Peninsula and the mighty fortress of Singapore. At that point the upward spiral seems to have run its course. Political antagonism prevented his enjoying the fruits of his victory, a personal audience with the Emperor. Instead he was remanded to the command of the First Area Army in Manchuria. There he remained in relative obscurity for the bulk of the war.

It was not until 27 September, 1944, that this half-forgotten general was urgently summoned to Tokyo to receive a briefing on his final assignment. He remained in Tokyo barely long enough to exchange the heavy uniforms of northern China for a tropical kit. On 7 October 1944, Yamashita arrived in Manila to relieve LTG Shigenori Kuroda of command of the Fourteenth Army.

On 18 October, barely eleven days later, the Americans landed in Leyte. Strategically, the Japanese thought to crush this advance by the use of Naval and Air Forces and local army units. By 22 October it was obvious that stronger action was demanded and Yamashita was ordered to support operations to the fullest extent. Since this involved a fundamental alteration to his battle plan, he responded with the greatest difficulty. Assembly of personnel, equipment and supplies; procurement and coordination of transportation; the tactical direction of his forces: all in the face of incessant harassment by American naval and air units, demanded the utmost of his attention. The landing of the Americans at Ormac on 7 December brought effective resistance in Leyte to an end.

Following the fall of Leyte, Yamashita turned his attention to the defense of Luzon. Recognizing his impotence, at this point in the war, to engage the highly mechanized forces of the Americans in a decisive battle, he opted for a delaying action based on the hills to the east of Manila, the mountains west of Clark Field, and the mountainous area surrounding Baguio and Balete Pass.

On 9 January 1945, U.S. forces under the command of LTG Walter Kruegar landed at Lingayen Gulf against minor opposition. For nine months Yamashita fulfilled his mission to absorb as much of the American military might as possible. Finally, on 2 September, it no longer had meaning. The war was over.

The final act of the drama began on 1 October. Upon orders of General Douglas MacArthur a Military Commission was named to try

Yamashita for war crimes. Arraignment took place on 8 October in the former residence of the United States High Commissioner on Dewey Boulevard, overlooking Manila Bay. The charge drawn against Yamashita was short and to the point. It reads as follows:

> Tomoyuki Yamashita, General, Imperial Japanese Army, between 9 October 1944 and 2 September 1945, at Manila and at other places in the Philippine Islands, while commander of armed forces of Japan at war with the United States of America and its allies, unlawfully disregarded and failed to discharge his duty as commander to control the operations of the members of his command, permitting them to commit brutal atrocities and other high crimes against the people of the United States and of its allies and dependencies, particularly the Philippines, and he, General Tomoyuki Yamashita, thereby violated the laws of war. (Trial record, P. 31)

Upon strenuous objection that the charge was improperly drawn, Prosecution consented to amplify it with a Bill of Particulars containing sixty-four specifications. The Bill alleged murder, massacre, rape, and pillage of innocent non-combatant civilians in Manila and various other places; mistreatment, starvation, and murder of American prisoners of war and civilian internees; and wanton devastation of public, private and religious property. Late of Friday, 26 October, before the scheduled opening of the trial on Monday, the 29th, a Supplemental Bill of Particulars containing fifty-nine additional specifications was delivered to the defense attorneys. The Bill of Particulars alleged neither that Yamashita had personally committed the offenses specified, nor that he had in any instance ordered their commission. The charge itself provides the link. As commander, he is to be held responsible, and criminally liable for offenses committed by personnel attached to his command. Defense immediately contended that this was not a litigatible offense. A secondary question involved the extent of Yamashita's knowledge of the events. Prosecution argued, concerning the latter point that the crimes were so extensive and so widespread, both as to time and area, that they must have been either wilfully permitted or secretly ordered.

In his defense summation COL Clarke, senior counsel for the defense argued:

> The evidence adduced by the Prosecution, therefore, does not establish that General Yamashita or his headquarters issued orders directing the commission of the atrocities set forth in the Bill of Particulars, nor does it establish that General Yamashita had any knowledge thereof, nor that General Yamashita or his headquarters permitted the commission thereof, nor that under the circumstances then existing General Yamashita unlawfully disregarded and failed to

discharge his duties as Commanding General of the 14th Area Army in controlling the operations of the members of his command, thereby permitting them to commit atrocities. (TR 3985)

The trial record was 4,055 pages. Testimony was given by 286 people in eleven languages or dialects. A total of 423 exhibits were submitted. On 7 December 1945 the commission handed down its verdict. It concluded that a series of atrocities and other high crimes had been committed by members of General Yamashita's command; that they were not sporadic in nature, but in many cases supervised by Japanese officers and non-commissioned officers; and that during the period under question, Yamashita failed to provide effective control of his personnel as required by circumstances. The sentence was death by hanging.

During the course of the trial a writ of *habeas corpus* was filed by the defense with the Supreme Court of the Commonwealth of the Philippines. A petition for *certiorari* was filed with the Supreme Court of the United States at the conclusion of the trial. In an unprecedented action, the defense sent a telegram to the Supreme Court, so fearful were they that the sentence would be carried out before the Court had opportunity to act on their petition. In a 6 to 2 decision the Court upheld the Commission. An automatic review of the proceedings was conducted, as is customary under military law, both by commander, Army Forces Western Pacific and by General MacArthur's staff.

In the pre-dawn darkness of the tiny village of Los Baños, thirty-five miles south of Manila, a cool breeze off Laguna Bay tempered the heaviness of the tropical night. The birds began to stir to meet the arrival of a new day. A small group of men moved through the darkness to the foot of the scaffold. There followed the formal litany of the death order. The stocky, bullet-headed man, taller than the average Japanese, moved up the thirteen steps to the platform. There, clad in U.S. Army fatigues, stripped of all military decorations and mark of rank, he bowed in the direction of the Emperor's palace. At precisely 0302 on the morning of 23 February 1946, Tomoyuki Yamashita died at the hands of First Lieutenant Charles R. Rexroad, the official executioner.

Thus ended the first of the war crimes trials held after the Second World War. The question of Yamashita's guilt has been hotly debated from the moment of his arraignment. The latest comment is Lawrence Taylor's *A Trial of Generals* published by Icarus Press in 1981.

On 6 February 1946 General Douglas MacArthur issued over his signature the order for Yamashita's death. This order reads in part:

This officer, of proven field merit and entrusted with a high command involving authority adequate to his responsibility, has failed this irrevocable standard; has failed his duty to

the troops, to his country, to his enemy, and to mankind; he has failed utterly his soldier's faith.*

It is, to some extent, ironic that Yamashita, inheritor of the tradition of *bushido,* should be judged, and found wanting, by a conception of duty that disregarded the vast cultural differences between the expectations of his world and that of his enemy. As a Japanese, he lived within a world of *giri,* carefully articulated duty. As a military commander, he lived within a murky world of names, dates, and events, of decisions made in light of imperfect knowledge, of risks taken and prices paid. In the past, the ethical discussion of war has operated on the level of the nation-state, concerning itself with questions of *jus bellum et jure belli,* and on the level of the individual, concerning itself with conscientious objection. While these questions are of importance, they tend to overlook the plight of the military commander, who bears a unique responsibility for the execution of policy. MacArthur's comments in the death order, written in Kantian language of the "ought," go beyond a mere catalogue of duties to a paradigm of relationships which constitute the universe of the military commander. It is this universe that we seek to explore in the plight of Yamashita.

This officer of proven field merit . . . failed . . . his troops.

The word "mission" looms large in any discussion of the military. A military force is not an armed rabble but a purposeful community, commanded, in the words of the Fourth Hague Convention, "by a person responsible for his subordinates." The mission is a matter of national policy. The creation and maintenance of the community and its direction in the accomplishment of its purpose becomes one of the paramount responsibilities of the military commander. He must direct and coordinate his force's training, equipage, and resupply. He must articulate its mission and use it with the utmost of his skill to achieve its purpose. Above all he must maintain its discipline, lest it lose its existence as a military force and become a rogue elephant, deadly to all within reach. Finally, he must protect the physical and moral integrity of this community.

From the moment of his arrival in the Philippines, Yamashita's ability to shape the Fourteenth Area Army by his own personality into an effective military force was stymied. At first he had control only of the Fourteenth Army itself. It was not until 1 January 1945 that he successively gained control of the Fourth Air Army; took limited tactical control of Naval personnel when engaged in land operations on 5 January; and finally, the various maritime forces in January and February. He was handicapped by the heavy staff turn-over upon his arrival. His

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* Order of General Douglas MacArthur confirming Death Sentence of General Tomoyuki Yamashita, February 6, 1945. *The Law of War: A Documentary History.* Leon Friedman, ed. (NY: Random House, 1972), p. 1598.

chief-of-staff, LTG Akira Muto, arrived on 20 October 1944, two days after the invasion of Leyte. Though a capable officer, Muto's knowledge of the Philippine terrain and order of battle was limited. When informed of the invasion, his response was, "That's interesting, but where is Leyte?" Of his predecessor's staff only three officers remained to effect the turn-over and to provide an institutional memory. Yamashita was handicapped by the nature of the Fourteenth Army itself. It had served successfully in the original conquest of the Philippines under General Homma in 1941 and 1942. It remained in the Philippines, subject to the effects of the tropics, to serve as an occupation force. Finally, Yamashita was handicapped by the tactical situation which faced him upon his arrival. From the 18th of October 1944 onwards he was faced by a constantly deteriorating tactical position. His ability to move was hampered by increasing air attacks, and his communications became consecutively more tenuous.

The breakdown of military community was to have tragic results for the city of Manila. The first thousand pages of the trial records are replete with instances of atrocities which occurred within the city, widespread wanton and ritual murder, rape and mistreatment of the civilian population during the period 6–17 February 1945. The general pattern reveals no consistent, verifiable military purpose. These incidents appear to have weighed heavily against Yamashita during the trial. The bulk of these crimes were committed by naval forces, identified by witnesses as bearing the anchor insignia. These forces were under the direct command of Rear Admiral Sanji Iwabuchi and responsible to Yamashita only during land operations. Even here his control over them was, at most, tentative. Yamashita wanted Iwabuchi out of the city. Iwabuchi had naval orders to defend the port facilities. Tragedy for the people of the Philippines resulted.

Did Yamashita fail in his duty to the troops? That the various atrocities detailed by witnesses were committed was not seriously contested by the defense. Yamashita's complicity was. Did Yamashita bear responsibility for actions committed by his subordinates, mitigated, as the situation was, by the obstacles which lay in his path? Did he in fact deserve death, or was his execution the revenge of victor's justice? The military commission faced a quandary. To let Yamashita die ran the risk of injustice to the man. To free him ran the risk of absolving future commanders of their responsibility for the military community.

This officer of proven field merit . . . failed . . . his country.

The military commander, depending upon the particular policy of his country, may occupy a number of different roles in the policy-decision process of his society. As a third echelon commander, Yamashita was an executor of policy. As such, it was his task to carry out to the best of his ability the strategic aims of his country. As the war was rapidly moving

toward its denouement, he attempted to absorb the maximum American strength possible in the Philippines and prevent the use of those forces against the Japanese home islands. That he failed in his ultimate objective was more a matter of the overwhelming enemy force and technology than a matter of his dedication or ability. Thus he appears to have served his country well, using his nation's military resources to their best possible advantage.

By 9 November 1944, Yamashita advised the Southern Army commander that the campaign in Leyte was a failure. He recommended that command attention be shifted northward to Luzon. Such recommendation placed him in opposition to the stated objectives of the Imperial General Headquarters to seek a decisive battle at Leyte. This was not the first, nor will it be the last, time that a field commander differed from the high command in his assessment of a tactical situation. The question lies, not in the Yamashita case, but in the limits of the commander's responsibility to oppose policy which he views as inimical to his country's best interests. Such disagreement, as Yamashita expressed, was well within the purview of the military commander. How much further does this responsibility extend? Does the military commander have a responsibility to counter the policies of a political system which he finds to be either misguided or inherently evil? Nuremberg approached the problem when it dealt with the question of superior orders. Superior orders provide no defense, it ruled, when the order was *prima facie* unlawful, but could serve as a mitigating factor. This still does not reach the limits of the problem. General MacArthur himself was relieved of command in Korea. As President Truman expressed it:

> If there is one basic element in our Constitution, it is civilian control of the military. Policies are made by the elected political officials, not by generals or admirals. Yet time and again, General MacArthur had shown that he was unwilling to accept the policies of the administration. By his repeated public statements he was not only confusing our allies as to the true course of our policies, but, in fact, was also setting his policy against the President's. (Memoirs p. 444)

Can a military commander, as commander, be a prophet?

This office of proven field merit . . . failed . . . his enemy

Yamashita faced not one enemy, but two. The obvious enemy was the American invading force and the prisoners of war which he already held. A note from Yamashita's diary of the Malayan campaign is revealing of his attitude:

> I want my troops to behave with dignity, but most of them do not have the ability to do so. This is very important now that Japan is taking her place in the world. These men must be educated up to their new role in foreign countries.

The Japanese were hard fighters and their concept of responsibilities in battle differed from the ideas which we profess. Their treatment of prisoners of war was harsh and at times brutal. Nineteen separate incidents of the Bill of Particulars attest to mistreatment of prisoners of war. Yet Yamashita mistreated no prisoner. The responsibility of the commander lies in the provision of the basic needs of life: food, water, medical care. For Yamashita fulfillment of this responsibility became increasingly difficult as access to such supplies for his own troops became problematic. The military commander also bears responsibility to his enemy for control over his forces. The laws and customs of armed conflict are relatively defined, but the enforcement of those laws and customs at the point of contact with the enemy requires both training and strict enforcement.

The second enemy which Yamashita faced was the very active guerrilla force. A single incident may demonstrate the magnitude of the problem. When the Americans landed at Lingayen Bay, there was a great deal of concern over a reported Japanese minefield blocking access. Naval minesweepers were unable to locate a single mine. During the two month period between the invasion of Leyte and the landings on Luzon, Filipino guerrillas under the command of LTC Russell Volckman had removed 350 mines; disassembled the horns, boosters, and detonators; scooped out the explosive for use against the Japanese; and converted the cases into washtubs.

Japanese retaliation against the guerrillas was harsh. Inhabitants of a barrio were herded into the church or other large buildings. They were ordered to leave through a single exit. A Filipino collaborator would then point out those involved in guerrilla activity. Execution was often by sword or bayonet to conserve ammunition. Punitive raids on villages suspected of harboring or otherwise aiding guerrillas often resulted in indiscriminate slaughter. Colonel Fujishige, in command of troops in Batangas Province, readily admitted to issuing orders "to kill all persons who opposed the Japanese, including even women and children."

Yamashita failed in his duty to his enemy. He failed in his responsibilities toward his American prisoners by the failure to provide adequate supervision. As commander, he had responsibility to seek out knowledge of what was transpiring in his command. He failed in his responsibility in the treatment of guerrillas in not providing adequate controls over his own people. Yet, it must be acknowledged, that treatment of guerrillas and their support system reflects the frustration of dealing with a force whose status is still not clearly defined.

This officer of proven field merit . . . failed . . . mankind

Yamashita's war is over and with its close a new age dawned. Yamashita himself recognized this in an interview given to Captain Lowell M. Limpus, USA, published in the April, 1946 issue of *Infantry Journal.*

> I believe we are facing revolutionary changes in the basic principles of strategy and tactics . . . The object of war remains the same thing in these modern times that it has always been. It is to crush an enemy nation's will to fight . . . With modern arms, even in this present stage of development, we can no longer make the former sharp demarkation between the battle front and the home front . . . Henceforth, distance is no longer the preponderant factor that it has always been in the past. Nor are many of the other traditional factors that have governed our strategy and tactics as important as they used to be . . . In the future, that country which possesses the largest terrain in area and attains the highest technical progress, that country will be in a highly enviable position.

The technological development has continued. Force undreamed of in Yamashita's day is available to our own military, and to others. Yet, as attested by history both ancient and modern, warfare is a human activity. The possibility of confrontation exists at many points on the globe. It is here that the military commander must exercise his final responsibility, the responsibility to ensure that both policy-makers and populace understand both the capabilities and threats confronting us.

At the surrender of the Japanese nation on 2 September 1945 aboard the battleship Missouri, Douglas MacArthur cautioned:

> Military alliances, balances of power, leagues of nations, all in turn failed, leaving the only path to be by way of the crucible of war. The utter destructiveness of war now blots out this alternative. We have had our last chance. If we will not devise some greater and more equitable system, Armageddon will be at our door. The problem basically is theological and involves a spiritual recrudescence and improvement of human character that will synchronize with our almost matchless advances in science, art, literature, and all materials and cultural developments of the past 2,000 years. It must be of the spirit if we are to save the flesh.

MacArthur may have been an optimist.

On 14 May 1946, LTC Aubrey Kenworthy, commander of the Military Police detachment responsible for Yamashita, journeyed to the home of General Yoshijiro Umezu in Ushigome Ku District to meet Mrs. Yamashita. That he should do so reveals the respect that Yamashita was capable of engendering in those who came in contact with him. We find in Yamashita no evil genius bent on destruction, but a competent officer of proven field merit. Through the years, he speaks to us as a sensitive and likeable man.

Did Yamashita fail mankind? Was there a flaw in his character

necessitating his death? Or was Yamashita an unfortunate, trapped in an unbreakable web of events? He felt himself innocent of the crimes with which he was charged.

> While recognizing, as a soldier, that warfare deals in stark realities and engagements on the field of battle are serious matters involving life and death, I have always striven to strike hard at all times with fairness and in strict conformity not only with the accepted rules and regulations of land warfare, but in accordance with the fundamental laws of humanity.

His death sentence occasioned the following poem:

> The world I knew is now a shameful place.
> There will never come a better time
> For me to die.

Perhaps the greatest gift Yamashita has bestowed upon us is to invite us into the murky world of the military commander, there to struggle with his problems and to partake of his guilt. It is only through this sharing that we can hope to gain some control over this most deadly of human activities.

Book Reviews

Mental Health in America: Patterns of Help-Seeking from 1957 to 1976

Joseph Veroff, Richard A. Kulka, and Elizabeth Douvan

Basic Books, Inc., New York, 1981

Joseph Veroff and Elizabeth Douvan are Professors of Psychology at the University of Michigan and members of the Institute for Social Research, Ann Arbor, Michigan. Richard A. Kulka is Senior Survey Methodologist at the Research Triangle Institute, North Carolina, and a former member of the Institute for Social Research, Ann Arbor, Michigan.

Mental Health in America is a successor to the now-classic *Americans View Their Mental Health* (Gurin, Veroff, & Feld, Basic Books, New York, 1960). Dealing with ways the American public handles their personal problems, this national survey contrasts the attitudes of the 50's with those of the 70's. The excellent analyses and interpretations of data are tarnished by a somewhat weak sample (urban citizens have grown wary of social researchers). Only stout-hearted chaplains willing to wade through lengthy charts and pages of demographics need examine the volume, but the reward for those who persevere will be a keen set of insights about the stream of counselees who seek help and ways the chaplain might increase her/his counseling effectiveness.

The general findings suggest that Americans have become increasingly amenable to therapy, and that mental health professionals are generally regarded as a desirable source of help. Women seem slightly more open to therapy than men, and persons with higher income and education are more likely to consult therapists than those on the lower end of the education/income scale. Relational problems associated with marriage, divorce, and parenting prompt the greatest number of consultations. Many variations of these generalizations exist—particularly when such factors as age, religion, community, and regional differences are considered.

The study is especially valuable to the chaplain because it includes clergy as a major help source and gathers useful information about those who seek clergy counsel. Clergy consistently rank as the most sought-after consultants within the helping professions. The proportion of the

population advocating clergy as a help source has decreased somewhat since the 50's (due largely to a rise in prominence by mental health professionals) although the absolute number consulting clergy has risen. Clergy are given positive but qualified marks for their effectiveness as counselors.

The survey raises several interesting questions about the perceptions of clergy counsel held by those who elect to see a clergyperson. For instance, certain religious groups (Catholics, conservative churches) strongly prefer clergy whereas other groups (Jews, Congregationalists, Episcopalians) tend to see mental health therapists for help. Church-going persons are very open to therapy but also report greater shame or stigma when they decide to see a therapist. The authors suggest that the clergy-parishioner relationship complicates counseling, undoubtedly attracting some clients but repelling others.

These and similar issues are discussed in greater depth by the authors and are intended to whet the appetite for further reading. This useful, authoritative study draws sensible conclusions from reliably gathered factual information—a welcome balance to the non-data-based books that fill mental health and pastoral counseling libraries. It is a useful survey of counseling patterns that is likely to become a standard reference for helping professionals.

—Gilbert W. Beeson, Jr.

Family Ministry: The Enrichment of Family Life Through The Church

Charles M. Sell

Zondervan Publishing House, Grand Rapids, Mich; 1981

The torrent of literature touting the family from every conceivable perspective would seem to leave little room for another significant book. Church groups, the social sciences, the media, secular education—all have had a go at the family. Analyses and aids overrun the desks of every chaplain and pastor. So what makes this new work of Charles Sell different? What lifts it above the mediocrity so characteristic of family literature?

First, the book is an overview of family ministry written from the evangelical standpoint. Of course there are many competent evangelicals writing in the family field—James Dobson, Norman Wright, Bruce Narramore, to name a few. Unlike these authors, Sell is able to tolerate the views of non-evangelicals, to scrutinize his own position from their per-

spectives before settling back into his own theological framework. This added insight allows Sell to treat such debated family issues as divorce, family structure, sex roles, parental authority, childhood discipline, and single lifestyle with new sensitivity that commands the attention of anyone involved in family ministry.

Perhaps Sell's greatest contribution is the interweaving of Biblical themes and family concerns into a theology of family. He consistently draws attention to the Scriptural view that a positive, loving family unit operates in harmony with the ongoing life of the church or synagogue. Sell points to the frequent use of family symbols within Biblical writings—father, mother, sister and brother, kinship ties—and suggests these symbols speak as poignantly about family as they do about theological matters.

Sell's basic message is two-fold. Contemporary families are hurting and need guidance in the critical tasks of caring and relating among family members. Although they seem to have lost their skills, the family is also the most effective unit for transmitting the faith. Sell suggests that the church, fearful of change and somewhat comfortable with the structure that presently exists, has generally remained aloof from family problems. He proposes a new partnership of church and family with a mutual recognition by each of how the other can strengthen the life development and spiritual growth of individuals. Sell does not advocate dismantling present church structure but suggests the integration of family enrichment and training activities into traditional church programs.

The author's expertise as an educator is apparent when he considers developmental programs—parenting, marriage preparation, marriage enrichment, intergenerational ministry, Christian nurturing. His treatment of family dynamics such as communication, conflict resolution, and sexual adjustment are disjointed and lacking in depth. The sources recommended for further reading are also disappointing in that they do not always represent the best materials available. The most significant criticism, however, lies not with material included but with omissions. The fluidity of current family life brought about by frequent divorce, remarriage, and such attendant characteristics as single-parenting, altered lifestyles, step-parenting, foster parenting, and blended families represents the greatest single challenge to relevant family ministry. Although Sell is sensitive to this hurting, struggling group of people, his book still focuses almost exclusively on the intact, ideal family unit toward which the church has traditionally oriented its ministry.

Sociologist David Elkind attributes many of the ills of family life to the secularization of the church. He asserts that churches do not convincingly assure individuals of ultimate truth, immortality, and a significant relationship with God. Consequently, individuals have turned to the family for such assurances. When marriage partners demonstrate less perfection, when family relationships provide less than ultimate fulfillment, many persons choose to leave the existing family and move on in

their never-ending quest for divine answers from a very human institution. Elkind suggests that religion reassert itself as the provider of ultimate answers and allow the family to concentrate on strong but less-than-perfect relationship building.

It seems to me that Sell, both theoretically and practically, is following Elkind's lead. Sell has affirmed the family and called upon the church to respect and encourage the family process of peoplemaking. The family, in turn, has been encouraged to look to Scripture for a realistic model of home life and to the church for enlightened guidance and constructive activity. Sell presents both a model for ministry and a practical state-of-the-art review of existing programs. *FAMILY MINISTRY* possesses great strengths and some weaknesses, but it is a giant step forward in the building of a family life approach to pastoral care. The book deserves a spot on the shelf of every chaplain concerned with relevance in ministry.

—Chaplain Gilbert W. Beeson, Jr.

War and Peace in the World's Religions

John Ferguson

Oxford University Press, New York, NY; 1978

John Ferguson is Dean and Director of Studies in Arts at The Open University. After taking a classics degree at Cambridge he taught in the universities of Durham and London. He is a member of numerous academic and voluntary organizations and the author of many plays and books.

War and Peace in the World's Religions is the first book to make a comprehensive study of the different attitudes toward war and peace in the major faith groups. Dr. Ferguson's scholarly examination is a professional portrayal of the relationship between the teachings of the great religions and the pacifistic or warlike behavior of their adherents. He has meticulously documented his work with the literature of the religions to objectively present philosophical and theological positions. The result is a handy reference source for both clergy and laity who wish to understand the political implications of religious beliefs as these beliefs impact on war and peace.

Dr. Ferguson scans the tribal religions of the ancient Greek, Roman, Scandinavian and African faith systems. He concludes that, "nor-

mally tribal religions embrace peace and war alike as facts of life." The discussion then centers on the historical development of Zoroastrianism, Hinduism, Jainism, Bŭddhism, Judaism, Christianity, Islam, Sikhism, Baha'i and the various religions of the Far East. Each faith in turn is analyzed in minute detail to reveal individual justifications for killing, war, and pacifism. This historical delineation of the teachings, ideals, and actions enables the reader to evaluate the present world situation regarding the social and cultural development of the current peace movement occurring throughout the world. A major portion of the chapter on Christianity focuses on the "Just War Theory." This information is of particular help to clergypersons who are not familiar with this position. It is a clear, precise presentation of the development of the theory which includes our modern era. Ferguson discusses the works of Reinhold Niebuhr, Paul Ramsey, and the World Council of Churches. It is his belief, as a pacifistic Christian, that "The historic association of the Christian faith with nations of commercial enterprise, imperialistic expansion and technological advancement has meant that Christian peoples, although their faith is one of the most pacifistic in its origins, have a record of military activity second to none." The facts substantiate the accuracy of his statement.

The author is cautious in drawing general conclusions. This is to be appreciated by the thoughtful reader and scholar, for the subject matter is controversial. However, it is apparent from the presentation that there is a pattern in most religions to "reject the acceptance of war either by circumscribing it with religious principles of justice, or by rejecting war altogether." The deeper question raised by Ferguson in the conclusion is: "Does religion matter?" in mankind's eternal struggle between the poles of war and peace. The answer, in cold historic fact, is what *War and Peace in the World's Religions* is all about. Every military chaplain must consider this book a necessary reference for the 80's.

—Chaplain William S. McAllister

Has God Rejected His People? Anti-Judaism in the Christian Church

Clark M. Williamson

Abingdon, Nashville, TN; 1982

Clark M. Williamson is a Professor of Theology at Christian Theological Seminary, Indianapolis, Indiana.

Williamson perceives a need to focus attention on what he terms "the ideology of Christian anti-Judaism." He finds that such an ideology is typically not taken into account by college and seminary curricula or by recent theological writers. This leaves clergy and laity largely "unaware of this issue, as well as of its impact on Christian patterns of thought and language." He therefore presents in this book "an introduction to the history of the relationship between Judaism and Christianity" with emphasis on the ideological problem of anti-Judaism.

The twofold purpose of this compelling work is a description of the relationship and ideology plus the presentation of some "practical and theological" proposals to help change it. To accomplish this, the author emphasizes "the impact of the linkage and conflict between Christians and Jews upon the Gospels. . . ," and the shameful, horrifying effect this *"adversus Judaeos* ideology" has had upon pertinent subsequent Christian dogma, attitudes, and practices. The evidence presented seems incontrovertible and the effects profoundly disturbing, from the developing anti-Judaism during the first century of the Christian era through its firm incorporation into Christian theology by the fourth century and the monstrous growth of this malignancy into active complicity in the "forced baptism, expulsions, massacres, pogroms, and sundry mob actions" of some fifteen centuries, culminating in Hitler's *"Final Solution (Endloesung)"* in the 1930's and 40's.

Not surprisingly, Williamson is moved by all this to confront himself and all Christians with the absolute and profound necessity for honest confession and repentance that evolves into concrete action and "a genuinely post-Holocaust Christian theology . . ." He offers guidance and suggestions for such an extremely difficult journey, "a period of wandering, [after] having made our exodus from a theology structured by anti-Jewish motifs, as we begin to search for new and more adequate modes of thought . . . [and strive to] reestablish the bond of solidarity and conversation between the synagogue and the church."

—William E. Paul, Jr.

The Evolution of Christology

Thor Hall

Abingdon, Nashville, TN; 1982

Thor Hall is a Distinguished Professor of Religious Studies with the University of Tennessee at Chattanooga. Dr. Hall received his undergraduate and theological schooling in his

native Norway and in Sweden. He pursued graduate studies in England and the United States, and received his Ph.D. at Duke University, Durham, North Carolina. He has written several books and numerous articles for religious and other journals.

This book presents a "developmental view" of "Christocentric theology," looking first at the New Testament manifestations of such an evolutionary theology. It then affirms that "Christian theologians today must do for our time what New Testament Christians did for theirs;" that is, continue the evolutionary process of Christology in tune with the context of today's Christian community. The aim is reader involvement in this process, past and present.

Hall begins with a brief historical survey of "the scope and focus of Christian faith" as it has been debated by theologians. He then presents an outline—composed of six propositions—that explains his personal position and the viewpoint of subsequent chapters. The latter deal with "four stages of development in New Testament Christological reflection [in terms of] levels of commitment to Christ." These are manifested in the growing awareness of the disciples that Jesus is the Christ; "the spiritual breakthrough at Pentecost;" the extraordinary ministry of Peter and Paul that expanded the gospel of Christ among the Gentiles; and the maturation of this evolving faith-commitment into "the level of universal Christocentricity or Christocentric universality." The 6th and 7th chapters then offer some provocative and challenging guidelines for modern participation in the evolution of Christology, "the Christological task of the church in the space age."

—William E. Paul, Jr.

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